देखिए, जो भी जीरो ऑवर्स अलाउ किए गए हैं उन्हें 5 बजे के बाद, यह डिबेट होने के बाद लेंगे ...(व्यवधान)... उसके बाद लेंगे ...(व्यवधान)... शॉर्ट डयूरेशन डिबेट होने दीजिए ...(व्यवधान)...

SHORT DURATION DISCUSSION

The Recent developments in the Indo-US Civil Nuclear Cooperation

श्री दिग्विजय सिंह: सर, डिबेट शुरू होने से पहले मैं एक बात कहना चाहूंगा। इस सदन में प्रधान मंत्री जी ने हम लोगों के भाषण का जवाब दिया था। मुझे दुख है कि आज जब यह बहस शुरू हो रही है, तो प्रधान मंत्री जी यहां मौजूद नहीं हैं ...(व्यवधान)...

SHRI V. NARAYANSAMY (Pondicherry): The External Affairs Minister is here... (*Interruptions*)...

श्री दिग्विजय सिंह: मैं चेयर से बोल रहा हूं ...(व्यवधान)... जरा सुन तो लीजिए... (व्यवधान)... मैं यह जानना चाहूंगा...(व्यवधान)... उपसभापति जी, मैं सिर्फ इतना जानना चाहूंगा कि प्रधान मंत्री जी यहां कब आना चाहेंगे? यह तो बता दें कि वे कब आएंगे? आएंगे या नहीं आएंगे, यह भी हम लोग जानना चाहते हैं ...(व्यवधान)...

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SURESH PACHOURI): Sir, he was the External Affairs Minister at that time and he replied to this debate. Now, the hon. External Affairs Minister is present when they are initiating the debate.

श्री उपसभापति: श्री अरुण शौरी जी। ...(व्यवधान)...

श्री दिग्विजय सिंह: तब इसका मतलब यह है कि प्रधान मंत्री जी नहीं आएंगे? ...(व्यवधान)...

SHRI SURESH PACHOURI: You wait.

श्री दिग्विजय सिंह: आप बता तो दीजिए। इसमें वेट का क्या मतलब है? आपने तय किया था कि प्रधान मंत्री जी आएंगे ...(व्यवधान)...

श्री उपसभापति: आप बोलिए ...(व्यवधान)... डिबेट होने दीजिए, प्लीज़ ...(व्यवधान)...

श्री दिग्विजय सिंह: मैं डिबेट होने दूंगा ...(व्यवधान)... इस सदन को इतना न गिराया जाए कि

प्रधान मंत्री जी वहां जवाब दे रहे हैं और उनके पास हम लोगों के लिए समय ही न हो ... (व्यवधान)... यह हमारे लिए इज्जत का सवाल है ...(व्यवधान)...

श्री उपसभापति: आप डिसीजन पर क्यों आते हैं? ...(व्यवधान)...

श्री दिग्विजय सिंह: यह इस सदन की इज्जत का सवाल है ...(व्यवधान)...

श्री सुरेश पचौरी: माननीय उपसभापति महोदय, आपके माध्यम से मैं माननीय सदस्य को बताना चाहता हूं कि आदरणीय प्रधान मंत्री जी इस सदन में आएंगे...(व्यवधान)...

श्री उपसभापति: आएंगे ...(व्यवधान)... आप बोलिए...(व्यवधान)...

श्री सुरेश पचौरी: हां, आएंगे...(व्यवधान)...

श्री उपसभापति: श्री अरुण शौरी।

SHRI ARUN SHOURIE (Uttar Pradesh): Sir, as Members just now were mentioning, the last discussion on this matter took place on the 17th August, 2006 and as Mr. Digvijay Singh was just reminding us, the Prime Minister made a very specific statement at that time. He drew the lines beyond which India would not go. He specifically said that we have concerns about the Bill as it has been passed by the House, and as the draft that had been proposed by the Senate Foreign Relations Committee. Dr. P.C. Alexander, Shri Sitaram Yechury, and many other Members had drawn attention to many of the clauses. Sir, since then, the major development which has taken place is that the Act has been finally passed, and President Bush, a few hours ago has signed that Act.

Now, for us, the *kasauti,* the touchstone remains the Prime Minister's statement of 17th August and how that statement is to be reconciled with the Act which has been passed. I will deal with this particular matter because actually there is a fast forward mechanism which is going on.

Sir, I want to first draw the attention of the House to what Mr. Nicholas Burns, the American Under Secretary of State, who is negotiating with the Government, has stated upon his return to Washington. He said, "The way the Congress—the US Congress—ended up in the Conference Report—that is, in the final Act—is a deal that is acceptable to the United States". This is the first point. So, anybody can say "No, no, there are clauses in this which the US administration will take care of will deal with this matter". Secondly, he says, "and I understand it is acceptable to

India. That is what the Indian Government told me in the private meetings" and that is essentially what I understood from the Foreign Minister Mukherjee's statements in the Parliament as well. Next he says, "The United States has left with the Indian Government a Draft Agreement and we are waiting for the Indian Government to respond and, I am sure, it will do so quickly". This House does not know. He has disclosed that a Draft 123 Agreement has already been given. Apart from that, he says, "Once we get the response to our proposal, we will make sure that our team is available immediately for meetings". Now, the next sentence is very vital for this House. It concerns this House directly. He says, " I agree with Ambassador Saran and Foreign Secretary Menon that all of us want to push these negotiations forward at a very rapid pace in January and February and I am optimistic we will be able to complete this". That means when this House meets again in February for the Budget Session, it will all already be done. This is the scheme. For us, therefore, it is very important to go back to the touchstone of 17th August statement. I will do that.

Sir, you may be aware, just now, just a few hours ago, the Indian correspondents in Washington had immediately sent and delivered a statement from President Bush and they will just now rely on it. It was sent three or four hours ago. I will come to that. But there are two arguments which are going to be repeated, again and again, in this House, and I will deal with them because the spokesmen, including the hon. Minister of Parliamentary Affairs, had been using those arguments outside. I would also suggest a way out from this quicksand into which we have been taken.

The first point is that there is absolutely no way whatsoever in which the US Act can be made to conform to the Prime Minister's assurances to this august House. I will take up these points one by one and I will just give you some illustrations. One of the charges, which Mr. Sitaram Yechury made, I made and several people made, is that there is an attempt, a clear stated objective, to get India embroiled in cartels which have been run by others. One of the impetus mentioned by name was Proliferation Security initiative. You have mentioned the Wassenger Agreement and other things. I want to read out to you what the Prime Minister had said at that time. The Prime Minister said, "The Proliferation Security Initiative (PSI) is an extraneous issue as it is outside the framework of 18th July Joint Statement. Therefore, we can't accept it as a condition for implementing the July

statement. Separately the Government has examined the PSI. We have certain concerns regarding the legal implications and its linkages with the NPT. We also have concerns with amendments to the Suppression of Unlawful Activities at the Sea Treaty under the International Maritime Organisation". This is about that interdiction. Now, let us see what section 103(B)(3) of the final Act says. It requires the US administration to ensure India's (A) full participation in the Proliferation Security Initiative; (B) formal commitment to the statement of Interdiction Principles of such Initiative, about which the Prime Minister said that their concerns and legal implications are linked to NPT; (C) public announcement of its decision—India is being told, "Oh, we don't believe you; make a public announcement"—to conform its export control laws, regulations and policies with the Australia Group—does this House know what the Australia Group is doing?—and with the Guidelines, Procedures, Criteria and Control Lists of the Wassenaar Arrangement; (D) demonstration of satisfactory progress—just see the words which are being used about the country; we must demonstrate to their satisfaction that we have made satisfactory progress towards implementing the decisions described in subparagraph (c). Members of this Hosue would recall and there was a lot of thumping on the Prime Minister's assurance in this House, he said, "We have the right to build up strategic reserves to these new reactors which will come up". He placed great emphasis on this. I will read it out to you. He told the House that the Americans had actually given an assurance that we will be allowed to build strategic reserves. At the time when he was saying this, the two Under Secretaries of State who were testifying before the US Senate Foreign Relations Committee said, "Our negotiators were very clear that while the US would be willing to provide reasonable fuel assurances designed to counter market imperfections, fuel assurances are not a condition to any of India's commitments under the plan, including, in particular, safeguards in perpetuity." Whether the fuel is stopped or not stopped, you are bound in perpetuity. Now a formal section has been introduced, that is section 103 (b) (10). It says, "Any nuclear power reactor fuel reserve provided to the Government of India for use in safeguarded civilian nuclear facilities should be commensurate with reasonable reactor operating requirements." No strategic reserves or anything like that.

The Prime Minister placed great emphasis on the fact that we have been given assurances of uninterrupted fuel supply to the reactors. The Prime Minister told Parliament that India would be placing its reactors

under safeguards—I am quoting—"with assurances of uninterrupted fuel to reactors, together with India's right to take all corrective measure in the event fuel supplies are interrupted." He told this, I counted it, four times, not once. Even as he was doing this, the American officials were saying there that no, no, there is no condition of uninterrupted fuel supply and secondly, the safeguards will be in perpetuity. Now this section 104 (b) (2) says, "Yes, safeguards shall be in perpetuity and there are no conditions." Now I wanted to see how the Prime Minister of India has been dealt with, with what peremptoriness because with the Act, as the Members of the House know, there is a Joint Explanatory statement that has been submitted to the Congress. It says—just see how the Prime Minister of this country is being dealt with and brushed aside—"On March 6, 2006, the Indian Prime Minister told the Indian Parliament that the US Government had said that if a disruption of fuel supplies to India occurs, the US would, with India, jointly convene a group of friendly supplier countries, such as Russia, France and the United Kingdom, to pursue such measures as would restore fuel supply to India. The conferees understand and expect that such assurance of supply arrangements that the US is party to will be concerned only with the disruption of supply of fuel due to market failures or similar reasons, and not due to Indian actions that are inconsistent with the 18 July commitments, such as nuclear explosive test." That was the entire purpose of the strategic reserve; that is, if we take some steps, they will not interrupt our supplies and render our reactors hopeless. Then, they say that India's March, 2006, nuclear facilities Separation Plan stated,—just see whether we were correct in stating that or not, whether the Government was correct or not in stating it when it came to the House—"The United States will support an Indian effort to develop a strategic reserve of nuclear fuel to guard against any disruption of supplies over the lifetime of India's reactors." This is a solemn assurance of the Separation Plan to our House. And, they say, "The Congress has not been able to determine precisely what was said in this matter in high level U.S.—India discussion. The U.S. officials testified, however, that the United States does not intend to help India build a stockpile of nuclear fuel for the purpose of riding out any sanctions that might be imposed in response to Indian actions such as conducting another nuclear test. They endorse the Senate proposal, however, that there will be a clear U.S. policy, that any fuel reserve provided to India should be commensurate with normal operating requirements of India's safeguarded reactors." So much for the Prime Minister's strategic

reserves; so much for his corrective steps; so much for his solemn assurance to our Parliament. Thirdly, we were told again and again, my dear friend, Shri Anand Sharma, was at great pains on this, "No; no; we have been assured of parity." The 18th July Statement has told us that we will have the same rights, as any other State, with advanced nuclear technology like the United States. I pointed it out then, and Dr. Alexander had emphasised, "No; no, there are two Information Circulars under which those Additional Protocols are done; namely, 153, which is for Nuclear Weapon States, and 540, which is for Non-Nuclear Weapon States. Now, this Act says specifically in Section 110 (1) that the Additional Protocol can be only under the Information Circular 540, which is applicable to Non-Nuclear Weapon States". Again, so much for assurances of parity! Not only that, there is another very important matter, and I would like the House to take this into account. I had pointed out that you are getting us into a problem in which we will not only be bound by the safeguards of the International Atomic Energy Agency, but also the additional safeguards imposed by the U.S. itself. The Prime Minister said that there is no question of India signing either a Safeguards Agreement with the IAEA or an Additional Protocol of a type concluded by Non-Nuclear Weapon States which have signed the NPT—that is finished already because we have to do it under the Information Circular 540—and the next aspect is that we will not accept any verification measures regarding our safeguarded nuclear facilities beyond those contained in India's Specific Safeguards Agreement with the IAEA. Therefore, there is no question of allowing the American inspectors to roam around our nuclear facilities. There was much of a thumping at that time that we had put them in place. Now, look at what they say. Section 104 B (5) (a) (iii) says, "In the event, the IAEA is unable to implement the safeguards,..." Now, this is to whose satisfaction? It is to the satisfaction of the U.S. ...regarding the maintenance of safeguards as set forth in the Agreement regardless of whether the Agreement is terminated or suspended for any reason. That means, firstly, there will have to be something in addition to, and, secondly, those safeguards that we will have to agree to will continue to operate even if our Agreement with the IAEA is terminated or suspended for any reason whatsoever. On this, please look at what they say in their Joint Explanatory Statement. They repeat the Section, that this is what it mandates. It says that 'the assurances that there will be such fall back safeguards, if needed, are an important feature for nuclear cooperation.' They enable such safeguards to exist,

more clearly, in perpetuity. Not only must you sign in perpetuity with the IAEA, but if, for some reason, you walk out of that, then, you are bound here in perpetuity, even more clearly. Then, the Prime Minister had graciously come here; he was very, very forthright; and I complimented him in the Gallery and I have complimented him in writing, for that statement. It was a very clear enunciation of where India stands. He had emphasised, I shall read it to you; he emphasised that afternoon that 'we are going to have full nuclear cooperation, full civil nuclear cooperation'. And he went on further and was specific to me about what he understood fully, and what he conveyed to the Americans. He said, "This shall be full civil nuclear cooperation", in particular, "that we would get access to", all aspects of the nuclear fuel cycle, ranging from "nuclear fuel, nuclear reactors, to re-processing of spent fuel. "We will not agree to any dilution that would prevent us from securing the benefits of full civil nuclear cooperation, as amplified above. Only such cooperation would be in keeping with the July Joint Statement." He said this thrice. Even as he was saying this, I am very sorry to report to this House, that one of the two co-sponsors of the Bill with whom our negotiators had been briefing a lot, Senator Biden, said, "This is just a matter of pride, not of substance, and I am sure Indians will take care of that."

So, what is the result? In Section 103 B2(e) they say that far from processing spent fuel, India will not be allowed even to ship back the fuel to the US for being reprocessed, without specific Congressional approval. About our wanting that full Civil Cooperation, which the Prime Minister was so kind to spell out in this House in such specific terms, they say 'yes, we will allow it, provided the facility for which it is allowed is a multi-national facility'. That means it is not in your control. And the intent of this is clear from what is stated in the Joint Explanatory Statement. As you know, in the Statement of Objects and Reasons and in the explanatory clauses they say 'the conferees note that the Administration has already stipulated'—to whom?—'to Indian negotiators that the term 'Full Civilian Nuclear Cooperation', the term used in the 18th July statement of 2005 between President Bush and the Indian Prime Minister, Singh, 'will not include enrichment or reprocessing technology'. This is consistent with what President Bush had said. President Bush had made a very important statement to the National Defence University—I had quoted it elsewhere—on 11th February, 2004, in which he had said that 'enrichment and

reprocessing are not necessary for a nation seeking to harness nuclear energy for peaceful purposes', and that the only exception they had made was to Australia; they are not going to make any exception on this full business to India. So, 'full' is much less than full, contrary to what the Prime Minister had assured this House that we would accept. He had said that this was a dilution which we shall not accept. They have enacted it into law. So, the Prime Minister was very emphatic, and all of us applauded him, I personally applauded him for this right outside in the Gallery. He said that we have the right to conduct tests in the future and he expressed his determination to fully shield the autonomy of our nuclear programme both in research, in weapons and in civil power production. He declared, I am quoting, Sir, "there is a provision in the proposed US law," please see, "There is a provision in the proposed US law that were India to detonate a nuclear explosive device, the US will have the right to cease further cooperation". Then, he said, "Our position on this is unambiguous. The US has been intimated that reference to nuclear detonation in the India-US Bilateral Nuclear Cooperation Agreement as a condition for future cooperation is not acceptable to us. We are not prepared to go beyond a unilateral voluntary moratorium on nuclear testing as indicated in the July Statement. The same is true of other intrusive non-proliferation benchmarks." It goes on. Now, Sir, just see in section 106, that is also not mandatory—I will come to what is binding and non-binding. Section 106 of the Act says, "A determination and any waiver under 104 shall cease to be effective, if the President determines that India has detonated a nuclear explosive device after the date of the enactment of this Act." The Joint Explanatory Statement says to this clause, it refers it and says, "The conferees intend this section to make absolutely clear a point that already follows from section 129 of the Atomic Energy Act. This title affords no waiver from Section 129 for an Indian nuclear detonation." We often take in this House the name of Mrs. Indira Gandhi. Sir, you remember that in 1974, when the tests were done, she said, "It is for peaceful purposes." Now, just see what they say about these peaceful purposes? "As further clarified in the section-by-section analysis included in this report, the conferees believe that there should be no ambiguity regarding the legal and policy consequences of any future Indian tests of a nuclear explosive device. In that event, the President must terminate all export and re-export of US-origin nuclear materials, nuclear equipment and sensitive nuclear technology to India." That is the word they use always for the full cooperation

of the items the Prime Minister has spelt out. "The conferees expect the President to make full and immediate use of US rights to demand," not just stop further cooperation, "to demand the return of all nuclear-related items, materials and sensitive nuclear technology that have been exported or re-exported to India, if India were to test or detonate, or otherwise cause the test or detonation of a nuclear explosive device for any reason, including such instances in which India describes its actions as being for peaceful purposes." अब मिसेज़ गांधी याद नहीं आती? खैर।

Sir, I want to make one thing very clear. Please make no mistake. China has come close to third-generation weapons only because of repeated testing. The US is today conducting sub-critical tests. There is absolutely no doubt that we will need tests from a few years from now for the next generation of atomic weapons. When the Prime Minister had said and we believed him, I want to believe him, I am sure, he is sincere in this matter. He told the scientists also, when he met them after the Statement here that 'I will make sure that the autonomy of Indian nuclear programme is never compromised'. Even Dr. Anil Kakodkar, the only scientist by invoking whose name this Agreement is sought to be justified, says that Section 109, which now says that India will be doing cooperative research—with whom, with the National Nuclear Security Agency... this is the agency which is the overall in-charge of de-nuclearisation of Russia and all the other former Soviet Republics for this purpose—he himself says in a statement, "This is a surprise to us. We have never asked for this cooperation. We do not need it." And he said that this will be "a most dangerous intrusion." That was section 115 earlier and that is now section 109 of the Act, signed by President Bush.

I do not want to take the time of the House because I read these things last time and all of them are here in stronger words. There are nine provisions in the Act which declare that the object of the U.S. policy is to halt, roll back, and eventually eliminate India's nuclear capability in this regard.

There are provisions for reporting on every aspect of India's nuclear programme not only on what is done in the safeguarded reactors but also in the non-safeguarded reactors; they can gather whatever information they can: and they must do this about the uranium mining, how much we have taken, what use we have put to, every ounce must be accounted for. What is this? To enable people like me to write articles? Are they gathering

information to enable us to write articles? It is to enforce their objectives. And when it is to be done? I was ashamed to learn that many of my own colleagues in the media swallowed this rationalisation, "No, no. India's concerns have been taken into account and annual reporting is not there."

Sir, actually the law says that the reporting shall begin within 180 days of the agreement coming into force and it will be done every year. Not only that, it now adds a new phrase, "The U.S. Administration shall not wait for the year to come. They will report fully and currently." They say, 'currently' means as soon as information becomes available you come and tell us.

Then, there are several provisions, Sir. I remember the Prime Minister's emphatic statement that we will not compromise on foreign policy. The example of Iran was taken. We all have views on whether Iran should have an atomic bomb or not; I feel it should not have, from our point of view. The Prime Minister is right on that. But to make it a part of their Act! They say, "We are giving this agreement to India this cooperation because of a congruent foreign policy."

Taking this reference to Iran, we were told that our concerns have been taken into account. Sir, there are four separate provisions saying India will fully cooperate with the U.S. objectives to ensure...(*Interruptions*).

Sir, even worse, there are five separate provisions to ensure that India does not go from one place to the other saying "if we ban something, if we terminate fuel supplies, then India could go elsewhere, to other Nuclear Suppliers Group; five provisions bind the U.S. Administration—'that you will tighten the working of the Nuclear Suppliers Group so that if fuel supplies are terminated to India by the U.S., no other country will give fuel, sensitive nuclear technology or materials or spares or equipment or anything'."

You say we need energy security because oil sellers have a cartel. This is a much stronger cartel.

MR. DEPUTY CHAIRMAN: How much time will you take? Because the time allotted to your Party is over. I am just reminding you.

SHRI ARUN SHOURIE: Sir, this is one of the most vital issues.

MR. DEPUTY CHAIRMAN: I know, it is important. But all the parties would like to participate.

SHRI ARUN SHOURIE: I know the Prime Minister for almost 30 years. I want to propose, I assure Mr. Pranab Mukherjee also, a constructive way out of this also. I will come to that. Firstly, let me deal with the two things that have been said by the Government spokesmen; the Minister for Parliamentary Affairs is also here. They say, "You must wait for the 123 agreement." उसमें ये clauses नहीं होंगे। This is a very peculiar thing. At each step we have been told, "No, no, no, wait for the next one." At each subsequent step, we have seen that further conditions have been added. What was a three-page bill became a 23 page Bill, has become a 41 page Bill with conditions. As I mentioned to you, by February this will be over, as Burns has disclosed. But the point is that 123 is an agreement under this Act. It cannot go against this Act. It is an agreement to operationalise that particular Act, and mind you, another Act which is a much more stringent Act, which is the Atomic Energy Act of 1954. There is absolutely no way. It is an agreement consequential to this Act and the point is because the clauses are in the parent Act, it need not include them. This is the trick. If that agreement is brought here, we will see अरे! इसमें तो टैस्टिंग का कुछ है ही नहीं। No ban on testing because it is already included in the parent Act. We do not have to include it there. If under the 123 Agreement, an export licence is given to General Electric, vesting out, their representatives are all along have met many people to educate us. Those people, all of them—एक्सपोर्ट लाइसेंस में कुछ नहीं है, टैस्टिंग के बारे में। एक्सपोर्ट लाइसेंस में कुछ नहीं है that you will declare a date by which you will stop fissile material production कि तो उसमें कुछ नहीं है कि You will make a public declaration about PSI तो आप क्या बात कर रहे थे because it does not help, that is not the place to include it as long as those things are under the Act. They are instruments for implemening the provisions of the Act and attaining the objectives of the Act itself. And, Sir, as you have indicated I should not take more time. But I tell you that we have had experience, bitter experience about 123 Agreement. I do not know how many Members of the House remember that we have had the 123 Agreement—Dr. Alexander remembers—has been in operation since 1963 with the US. They had themselves stated in 2005 before this very Congressional Committee—Joseph stated—that we are not clear that India violated the 1963 Agreement. But absolutely, as Mr. Siddiqui says, they stopped fuel supplies to Tarapore. हम ट्रीटी करते रहे। अच्छा, आप हमारी भलमानसी देखिए, सिविलाइजेशनल वैल्यु, till agreement

terminated in 1993 पहले US ने खत्म कर दिया 74 में। उसके बाद 1993 में एग्रिमेंट खत्म हो गया, 30 साल का एग्रिमेंट था, मगर हम साहब उससे बाहर ही नहीं निकले। जुल्म करता है दुश्मन और हम शर्माए जाते हैं। Sir, the next point is—I can give you several points. There are 23 such agreements in existence with different countries. Now of them will have those clauses. But all of them are instruments of implementing a particular legislation. The legislation is absolutely clear. अभी कहा गया कि यह नॉन बाइंडिंग है, an Act of a foreign legislature, how can sovereign India be bound? पिछली बार भी कहा गया था और अभी भी कहा जाएगा।

And I had asked, Dr. Alexander had asked whether it is not binding on the US President. He has to enter into an agreement. And unlike our thing, we do not have the power to ratify or reject the treaty. The US Senate has that power. I will tell you just now what the new thing that has been introduced since we met last time. The US Senate rejected...(*Interruptions*)... President Wilson was the architect of the League of Nations. President Clinton made 30 countries twisted around to sign the CTBT. The US Senate threw out the CTBT, but we said, we will not sign. So, they do not have power. Is the US President not bound? But even more pointed question that I want to ask this House and I hope the Government will reply this: is the US Congress bound by it or not? Is the US Congress bound by its own Act or not? It is because, Sir, there is a change since we last met. Last time, you know, there was a proposal, the Administration gave a proposal to the Congress that this Agreement 123 will come into force unless the Congress passes a Resolution of disapproval within 90 days, a specific resolution of disapproval. 'No, no this is a trick,' they said, 'because if we pass a resolution of disapproval, the President can over-ride it with a veto. And to over-ride that veto we require a two-thirds majority which we will not be able to get, so we reject this proposal'. There are very strong strictures on this proposal of the American administration. They say, 'no, now this agreement that the US administration may sign with India will not come into force till we specifically pass a resolution of approval within 90 days'. Why are they keeping this power? It is for two purposes, firstly, to examine and review the terms and conditions of the 123 Agreement and secondly, so as not to dilute the power of the US Congress for over-sight. So, what is not binding? It is we who will not be able to bind our Government on 123 Agreement. They will ensure that the 123 Agreement becomes an instrument of attaining all the objectives which they have set up. Sir, just now as I mentioned to you, a very convenient statement has been sent to Indian correspondents in

Washington and much reliance will be placed on that. It is a statement of President Bush issued in his name that Section 103, sets out an American policy. He says, 'my approval of the act does not constitute my adoption of the statement for the policy.' See, it is non-binding. Second, he says that the information that I have to supply, I will first assess whether it will damage US foreign relations or not. Now, before anybody relies on this statement, I want to make 2-3 things clear to the House. Sir, first, when you see how these things will come true, even if all this is true, and that this weakened President of the US is prepared to defy the US Congress on this matter, how are you certain that the next US President will do so? Even if you go by US President's interpretation on these matters, both on information and on this business of statement of policy, you are then bound completely and mortgaged to the US President's interpretation of the US law and, in anycase as I mentioned to you, the Congress has kept with itself the right to review the terms and conditions arrived at in this Agreement. Sir, I will conclude now with one constructive suggestion on this. I believe that with its great sincerity, with its great acumen, the Government has been led step-by-step into quicksand. There was a thesis for this, which is a strategic flaw in the whole matter, and I will end with that. The reasoning has been and I could give you four such statements which exemplify this that, 'look here, we need high growth, therefore, we need energy. Nuclear energy has to supply 35,000 mega watts. We don't have enough Uranium for this. Therefore, we need imported Uranium. Therefore, we have to sign this Agreement and accept all the conditions, which are implicit there. This is the logic of this particular exercise into which we have been done. A myth has been spread. A myth, which has been taken up by our newspapers that you don't have enough Uranium. I was distressed to see a very senior official of our Government speaking to the executives of American energy companies. You will find it on the website of the Indian Embassy in Washington, 19th April, 2006 saying, 'we don't have enough Uranium. Therefore, we need your help and such bright business prospects are opening up for you.' Now, Sir, the fact of the matter is, it is true that if we mine and mill only the amount of Uranium which we are doing, we are starved. But, in fact, one of the authors of this Agreement, one of the architects of this Agreement, whom many senior people have met and, certainly, the officials sitting in the gallery have closely been interacting with, is Ashley Tellis. He is now a very important figure in the American security thinking and was one of the main two architects who

originated the idea of this particular Agreement. There is a very interesting report of his which, I am sure, the Government would like to access from their website 'mailonline'. It is a report called 'Atoms for War?' He discloses in that, contrary to what is being assumed in India, actually, India has more than enough Uranium reserves. Quoting from the Department of Atomic Energy and the ONCD studies, he said that there are 78,000 tonnes of known reserves. He calculates this as to how much would be required for all the existing reactors, how much would be required for the 8 that are being kept out for military purposes and how much would be required for the 2 research reactors for weapons production. And, from all this, apart from our energy needs, we have enough Uranium for 2023 to 2028 nuclear weapons. He says that the shortage of Uranium, today, in India, I am quoting him, is 'a temporary aberration'. This is occuring solely because Indians have not been able solve their land acquisition problems. It is because it is in tribal lands. We are not able to get over our courts and our activists protests. Wherever there is Uranium mining, activists come. How they come? I don't know. They come, agitation starts and the courts give a stay and we are not able to solve it. Sir, it will be so idiotic for us to mortgage the country's security. And, I am sure, the hon. Prime Minister would not want to do this just because we cannot solve our land acquisition problem. So, Sir, my proposal is this. I will just enumerate it and finish it.

The first one is that please do not depend on nuclear energy. Don't look at it for electricity. That is the flaw. At present, we have Uranium mining and milling. Use it primarily for our weapons programme.

The second one is, look to other clean sources of energy, specially, hydro electric power. When I had the good fortune to work in the North-East, I remember—many Members here from the North-East will remember—Dihang Subhansiri project is a single project to be executed in five or six phases. The hon. Prime Minister is representing the North-East. He knows that this single project has a capacity for 22,000 MW. The first phase is being implemented today by the NHPC with a capacity of 2,000 M.W. This can be compared with our large reactors of atomic energy which are 500 M.W. Four times in just one small project! Then, Sir, in this Dihang project, I remember—the hon. Prime Minister knows this because he has followed this up—it is languishing for fifteen years before the Brahmaputra Board. That was a defunct Board; a Board in a comatose. We worked to get it out of that Board. And, in any case, in the Charter of the Board there is no provision for raising money for such projects. We got it out and gave it to the NHPC. With the Government's blessing, direction and

encouragement the NHPC today is implementing that project. What is the capacity of that? Sir, it is 3,800 M.W. यह आप क्या देख रहे हैं कि 35,000 मेगावाट चाहिए, इसलिए atomic energy चाहिए, इसलिए imported uranium चाहिए, इसलिए agreement चाहिए, इसलिए ये conditions हैं. So, that is my second proposal.

The third proposal is to intensify Uranium mining and milling. As I said, we have enough Uranium reserves in the country.

Sir, I have just two points with one quotation and I have done. We must spur the Department of Atomic Energy. The Atomic Energy Agency to be more focussed and it should be more accountable. If peer reviews are required, they should be instituted. I compliment the Government that they have started such a peer review under Dr. Kasturirangan in the Kalpakkam Project. Do that, spur them to do more. I am all with you for that. But do not foreclose your options the way you are doing.

Fifth, we must redouble research on the breeder programme. There is a problem. This has to be done. We keep hearing of the second breeder coming up. But there is a technical problem. I won't take much of your time. We must do much more research devoted to that. Resources! कॉंडोलीजा राइस ने कहा है, पता है इस में कितना पैसा है? India will be spending 15 to 20 billion dollars (*Interruptions*) मैं उसकी फिगर दे रहा हूं। That means we will be spending 75,000 to 1,00,000 crores of rupees on imported reactors. Imagine if you give that. (*Interruptions*) For hydroelectric, if you did it for research, if you did it to spur the Department of Atomic Energy to a higher growth, what would be the theme? Similarly, we keep hearing about thorium. Dr. Mukherjee, the other day, also mentioned about thorium. We don't know, my own good friend said that it is thirty years away, fifty years away. Thirty years है तो बताओ और यह बताओ कि आप उस को 10 साल में expedite करने के लिए क्या करोगे?

Sir, my final conclusion is that please remember the American Strategy. I am for good American relations; I am for good relations with everybody. But please remember their strategy. And, I will quote to you, and end with that one sentence. You see, during the hearings in the Senate Foreign Relations Committee, the Senators asked Burns and Jojeph, "But why did you not include this in your proposing". They said, "No; no, Sirs, please focus on the gains which have already been achieved. India has

four reactors under inspection, under safeguards, now, they are preparing to give two-thirds of their reactors". That means fourteen reactors. And, do you know how much is 'fourteen'? Do you know how many reactors have all the five nuclear weapon States, who have 237 reactors, under safeguards? Only eleven! So, in one go, we have given more than all the five countries—the US, the UK, France, China and Germany. In that case, they said, "No, this is this". And please remember, they have said, "All future reactors". That means, within a few years, ninety per cent of the reactors would be under safeguards. This is the game. They further said, "Therefore, please focus on the significant gains" And, then, they advised them, this is the sentence with which I want to close and caution the Government as they deal and negotiate with the Americans, "We believe the best course is to lock in the significant gains reached, and, then, seek to achieve further non-proliferation results, as our strategic partnership advances" इसलिए आप से मेरी विनम्र गुजारिश है कि इस दलदल से बाहर आइए और आत्म-सम्मान का और आत्म-निर्भरता का रास्ता अपनाइए। थैंक्यू।

श्री शाहिद सिद्दिकी (उत्तर प्रदेश): सर, मैं आप के जरिए प्रधान मंत्री जी का बहुत शुक्रगुजार हूं कि इस महत्वपूर्ण विषय पर चौथी बार हमें यहां बात करने का मौका मिला है। मैं जानता हूं कि प्रधान मंत्री जी की जो concerns हैं, वे इस हाउस में बैठे हुए किसी भी आदमी से कम नहीं है। मैं यह भी जानता हूं कि प्रधान मंत्री जी में इस बात का साहस है कि अगर उन्होंने यह रास्ता अपनाया था, इस रास्ते को अपनाने का साहस और हिम्मत की थी तो अगर उन्हें लगता है कि यह रास्ता गलत है, जैसा कि अरूण शौरी जी ने कहा कि इस रास्ते पर दलदल में फंसने वाले हैं, तो उन में साहस होगा कि उस रास्ते से वापिस आ जाएं और देश से कहें कि हम इस रास्ते पर गलत गए, हम से गलती हुई। सर, यह साहस एक बड़े नेता की निशानी होता है और मुझे विश्वास है कि प्रधान मंत्री जी में यह साहस है। सर, अरूण शौरी जी ने बहुत तफसील से बहुत सारी बातों पर रोशनी डाल दी है। मैं तो आपके सामने दो-चार ऐसी बातें रखना चाहूंगा, जिन पर बात नहीं हुई। एक बुनियादी बात यह है कि हम बार-बार बहस करते हैं और बहस का कोई नतीजा नहीं निकलता, क्योंकि सरकार की तरफ से कह दिया जाता है कि अभी रुकिए, अभी इश्क के इम्तिहान और भी हैं, अभी हम मंजिल पर नहीं आए, आप कहां शिकायत कर रहे हैं। आपकी सारी शिकायतें दूर हो जाएंगी। अगले पड़ाव पर पहुंचने दीजिए। यह बात बार-बार कही जाती है और मुझे यकीन है कि अब भी वही बात कही जाएगी। एक्ट 54 के जो 123 सेक्शंस हैं, हम जो 123 एग्रिमेंट करने वाले हैं, इस एग्रिमेंट से we will meet all the concerns लेकिन सर, मुझे यह कहने दीजिए। मुझसे ज्यादा समझदार लोग उधर बैठे हुए हैं, खास तौर पर श्री आनंद शर्मा जी। लेकिन मैं जितना इसको समझ पाया हूं, मैंने पूरे Hyde Act को पढ़ा है। There is nothing hidden in the Hyde

Act. हर चीज स्पष्ट है। साफ है और 123 एग्रिमेंट को अगर आप उसके साथ जोड़ दीजिए, तो वह और साफ हो जाती है। मुझे कहीं manoeuvrability के लिए स्पेस नजर नहीं आता। आपको अमेरिकन कांग्रेस ने बांध दिया है, जकड़ दिया है। यह जो एक्ट आया है। Hyde Act, इसमें आपके पास कोई गुंजाइश नहीं है। उसके बाद अगर आप कहते हैं तो यह एक illusion है, यह एक delusion है। आप कहते हैं कि प्राइम मिनिस्टर ने इस हाउस के अंदर जो कमिटमेंट किए थे, हम उन कमिटमेंट्स को मीट करेंगे, तो मुझे हैरत भी होती है, अफसोस भी होता है औ शर्म भी आती है कि आप इस तरह का कमिटमेंट इस हाउस में बार-बार कैसे कर सकते हैं जबकि आप जानते हैं कि आप इस कमिटमेंट

(श्री सभापति पीठासीन हुए)

को मीट नहीं कर पाएंगे। इसलिए यह जो argument है कि यह जो 123 का एग्रिमेंट है, इसमें हम आपकी कंसर्न्स को मीट कर लेंगे और प्राइम मिनिस्टर के जो कमिटमेंट्स हैं, वे पूरे हो जाएंगे। Nobody is going to buy that argument, इस एक्ट को जिसने थोड़ा बहुत भी पढ़ा है, वह जानता है कि यह संभव नहीं है। इसलिए चेयरमैन साहब, मैं आपके द्वारा गुजारिश करना चाहूंगा और इस हाउस से भी कहना चाहूंगा कि यह मामला सिर्फ राष्ट्रीय महत्व का ही नहीं है, यह अंतर्राष्ट्रीय महत्व का नहीं है, यह आने वाले 100-200 सालों के अंदर हम कहां खड़े होंगे। कैसे खड़े होंगे, हमारा भविष्य क्या होगा। हमारी हालत इराक जैसी होगी या हम चीन से आगे जाएंगे। इस बात का फैसला इससे होने वाला है। इसलिए इस पर पूरा ध्यान दीजिए। एक-एक शब्द को पढ़िए चाहे आपको जिनती मेहनत करनी पड़े। क्योंकि हमारे बहुत से साथी फायदा उठा लेते हैं कि हम इन legal terms में और इसकी details में जा नहीं पाते। हमारा मीडिया भी शायद आसान रास्ते ढूंढता है। आज हर चीज instant है, तो इसपर एक instant reaction होता है और वह reaction depth में जाकर नहीं होता। इसलिए सर, मैं कहता चाहता हूं, रिक्वेस्ट करना चाहता हूं, इस हाउस का समर्थन चाहता हूं कि यह जो एग्रिमेंट आप करें, तो इस एग्रिमेंट पर साइन नहीं होगा, क्योंकि आप भी जानते हैं कि जब यह एग्रिमेंट होगा, तब यह एग्रिमेंट उस हाउस में ही वापस जाएगा और वह हाउस देखेगा कि यह जो एग्रिमेंट आपने किया है is it in accordance with the Hyde Act? उन्होंने जो लिमिटेशंस बनाए हैं, उन्होंने जो rigid and iron framework बनाया है, उस framework के अन्दर यह एग्रिमेंट हुआ है कि नहीं, वे इसको देखेंगे और अगर उससे यह जरा सा भी हटेगा, तो मैं यह समझता हूं कि उसको वे मानने वाले नहीं हैं। उनके पास यह वापस जाएगा। मैं इस हाउस से कहना चाहता हूं। हमारी भी आपसे यह विनती है और पुरजोर अपील है कि इस एक्ट को, इस एग्रिमेंट को इस हाउस के अंदर लाइए, इस पार्लियामेंट के अंदर लाइए और यह

2.00 P.M.

पार्लियामेंट इस बात को देखेगी कि यह जो एग्रीमेंट हुआ है यह एग्रीमेंट in accordance है।

प्रधान मंत्री के जो वादे थे, जो कमिटमेंट थी, उनके मुताबिक है कि नहीं। मैं जानता हूं कि हमारी constitutional position नहीं है। हमारे यहां executive और legislature का सेपरेशन नहीं है। लेकिन देश के हित में और क्योंकि यह देश के लिए इतना महत्वपूर्ण है, मुझे विश्वास है कि प्रधान मंत्री जी आज भी यह कमिटमेंट देंगे कि इस एग्रिमेंट को हम भी उसी तरह से देखेंगे और समझेंगे और उसके बाद इस एग्रिमेंट पर कोई साइन होगा। क्योंकि इस पर एक बार साइन हो गया और उसके बाद हमारे हाउस में आएगा, तो फिर हम उस पर कुछ नहीं कर पाएंगे। आप भी यह कहेंगे कि International obligations हैं और आने वाली सरकारें, उससे बंध जाएंगी। दूसरी बात, सर, मैं कहना चाहता हूं कि हमें कॉस्ट बेनिफिट रेश्यो को देखना होगा। मैं यह नहीं कहता कि इस एग्रिमेंट से हमें कोई फायदा नहीं होने वाला, फायदा होने वाला है, but at what cost? हम एनर्जी सिक्यूरिटी की बात करते हैं। क्या हमें एनर्जी सिक्युरिटी इसके द्वारा मिलने वाली है? 2020 तक, 2030 तक 8% न्यूक्लिअर एनर्जी हमारे पास होगी, जैसा अरूण जी ने कहा, मैं उसकी डिटेल में नहीं जाना चाहता। आप भी इस बात का समझते हैं कि हमारी एनर्जी सिक्युरिटी इस हाई कॉस्ट न्यूक्लिअर एनर्जी से नहीं होने वाली। यह बड़ा साफ है। बच्चों को बहलाने के लिए यह बात कही जा सकती है? लेकिन कोई भी समझदार आदमी यह बात जानता है कि इस देश की न्यूक्लिअर एनर्जी सिक्युरिटी न्यूक्लिअर एनर्जी से नहीं होने वाली है। तो फिर आप यह एग्रिमेंट क्यों कर रहे हैं? आप क्यों इतने महंगे रिसोर्सिज पर जा रहे हैं, जबकि स्पष्ट रूप से यहां पर कह दिया गया है कि आपको अमेरिकन कांग्रेस के सामने सिर्फ यह रिपोर्ट ही नहीं देनी कि आप कमिट्मेंट पर चल रहे हैं, बल्कि यह भी रिपोर्ट करनी है कि हिन्दुस्तान में आने वाले वर्षों में, आने वाले समय में यूरेनियम को किस तरीके से निकाला जाएगा, यूरेनियम का क्या प्रयोग होगा। यहां पर यह बात कही गई है कि an estimate of (i) the amount of uranium mined and milled in India during the previous year; this is to be reported to the American Congress कि हमने कितनी यूरेनियम निकाली; (ii) the amount of such uranium that has likely been used or allocated for the production of nuclear explosive devices; and (iii) the rate of production in India of (I) fissile material for nuclear explosive devices; and (II) nuclear, explosive devices; उसके बाद यह भी बताना पड़ेगा कि an estimate of the amount of electricity India's nuclear reactors produced for civil purposes during the previous year. किसको बताएंगे? अमेरिकन कांग्रेस को कि कितनी बिजली आपने बनाई है and the proportion of such production that can be attributed to India's declared civil reactors. सर, हमें सिर्फ यही रिपोर्ट नहीं करनी है और जैसा कि अरूण जी ने कहा, साल में एक बार ही नहीं करनी है, बल्कि जब चाहे कांग्रेस अमेरिकन ऐडमिनिस्ट्रेशन के पास जा सकती है और वहां पर हमारी शिकायत दर्ज करा सकती है। हमारी शिकायत इस पर भी हो सकती है कि हमने ईरान को कंटेन करने में, टेरेरिज्म को कंटेन करने

में कितना कोआपरेशन दिया और वह एक्टिव कोआपरेशन था कि नहीं। Was it to the satisfaction of American Administration? Was it to the satisfaction of the American Congress? अगर नहीं था, तो वह भी एक ईश्यू बनाया जा सकता है इस बात के लिए कि हमने कोआपरेट नहीं किया। हमने इस एग्रिमेंट की, इस हाइड एक्ट की टर्म्स को डिफाई किया और कल को वह एक बेस बन सकता है इस पूरे एग्रिमेंट को abrogate करने के लिए। यह बात यहां पर स्पष्ट की गई है। उसके बाद भी आप क्यों इस एग्रिमेंट में जाना चाहते हैं? यह आप बताइए कि आप क्यों जाना चाहते हैं? क्या आप इसलिए जाना चाहते हैं कि इन्वेस्टमेंट बहुत आएगा? मुझे नजर नहीं आता। इन्वेस्टमेंट हमारी ही जरूरत नहीं, उनकी भी जरूरत है। आज अमेरिकन इकॉनामी का ग्रोथ रेट 3 परसेंट है और अगर उनको अपना ग्रोथ रेट बनाए रखना है, अपनी इंडस्ट्रीज चालू रखनी है तो उन्हें हिन्दुस्तान में आना पड़ेगा, हिन्दुस्तान में इन्वेस्ट करना पड़ेगा। हिन्दुस्तान की मार्किट को उन्हें इस्तेमाल करना पड़ेगा और वे कर रहे हैं। अगर आप समझते हैं कि यह एग्रीमेंट नहीं हुआ तो हम इन्वेस्टमेंट लूज कर देंगे, तो मैं आपसे कहना चाहता हूं कि हमारी मजबूरी उतनी नहीं है, जितनी उनकी मजबूरी है। They will come anyway. So, whether we have this agreement or not, इसलिए इस एग्रिमेंट को इसकी बुनियाद न बनाया जाए, जो बहुत सारा मीडिया कहने की कोशिश कर रहा है कि हिन्दुस्तान में इन्वेस्टमेंट के दरिया बह जाएंगे, हमारे एग्रीकल्चर में बहुत भारी इन्वेस्टमेंट आ जाएगा, हमारे रिटेल में बहुत भारी इन्वेस्टमेंट आ जाएगा, इंश्योरेंस सैक्टर में आ जाएगा। उसके लिए इसको बुनियाद आप मत बनाइए।

तीसरी बात मैं यह कहना चाहता हूं कि एक बात हमारे साइंटिस्ट्स कहते रहे हैं कि आने वाले समय में हमारे थोरियम रिजर्व्स इतने बड़े हैं कि यदि उनका प्रयोग हम करेंगे तो हमें किसी और चीज की आवश्यकता नहीं रह जाएगी, लेकिन यहां पर यह बात साफ आ रही है कि यहां पर जो थ्री स्टेज साइकिल है, इसे हम कम्प्लीट नहीं कर पाएंगे, उस साइकिल पर हम जा नहीं पाएंगे और as a result, "reprocessing of spent fuel to separate..." यह मैं क्वोट कर रहा हूं श्री एम॰आर॰ श्रीनिवासन से, जो कि फॉरमर चेयरमैन ऑफ दि एनर्जी कमीशन थे, उनका कहना है कि...। उनका कहना यह है, "Reprocessing of spent fuel to separate plutonium is extremely important in the Indian context. The Indian nuclear fuel cycle is crucially dependent on the use of Fast Breeder Reactors in the second stage and of thorium-based systems in the third stage. Separation of plutonium is essential for the eventual use of thorium as a nuclear fuel. India therefore expects that reprocessing will be an important activity of its nuclear energy programme."

इसलिए, सर, आने वाले समय में, हमारे थोरियम रिजर्व्स की वजह से, हमें जो एडवांटेज मिलने वाला है, उस एडवांटेज को हम छोड़ देना चाहते हैं। उसे गिरवी रख देना चाहते हैं। अमेरिकन कांग्रेस

के कंट्रोल में ले आना चाहते हैं। क्योंकि अमेरिकन कांग्रेस यह डिसाइड करेगी कि हमारी रीप्रोसैसिंग कहां होगी, कैसे होगी और कितनी और जो हमारा स्पैंट फ्यूल है, वह किस तरह से जाएगा, कहां जाएगा, कैसे जाएगा, ये सिर्फ चीजें हमने अमेरिकन कांग्रेस के हाथ में दे दी हैं। मैं इस बात को समझ नहीं पर रहा हूं कि हम ऐसा क्यों कर रहे हैं।

60 वर्ष तक अपने ही ऊपर डिपैंड करके, इस देश को यहां तक लाने वाले हमारे साइंटिस्ट और हमारे देश के नेता, जिसमें कांग्रेस के महान नेता भी शामिल हैं, जितना बहुत भारी योगदान रहा है, जैसे पंडित जवाहर लाल नेहरू, श्रीमती इंदिरा गांधी, श्री राजीव गांधी, लेकिन उसके बाद आज हमें इससे क्या मिलने वाला है, प्रधान मंत्री जी हमें यह बताएं? हमें मालूम है कि Why are we ready to pay such a high price for something.which is not going to provide us energy security or anything else?

सर, दूसरी बात यह है कि हमारे ऊपर न्यूक्लियर टेस्ट करने पर भी कैप लग गया है। हमारे यहां यह कहा जाता है कि यूनिलेट्रली हमने आने आप यह कहा हुआ है। सर, अगर हमें अपने लिए सिक्योरिटी चाहिए तो हमें इस बात को देखना पड़ेगा, जैसा मुझसे पहले भी कहा गया कि कैसी-कैसी नई टेक्नोलॉजी आ रही है। आज यूएस रिलायबल रिप्लेसमेंट वैपन्स के ऊपर काम कर रहा है और उसके बहुत करीब है। वे वैपन्स जो नई टेक्नोलॉजी के साथ आने वाले हैं। उसी पर चायना भी काम कर रहा है और आने वाले समय में पाकिस्तान भी उनसे ये चीजें ले सकता है। लेकिन हमने अपने हाथ-पैर बांध दिए हैं, हम उन चीजों पर नहीं जा सकते हैं। आज हमने जो पोजीशन हासिल की है, आज हमने आनी सिक्योरिटी को इस लेवल पर पहुंचाया है, हम उसको कुर्बान करने को, उन्हें दे देने को तैयार हैं। मैं प्रधान मंत्री जी से यह जानना चाहता हूं कि कल को यदि चायना भी एक एक्सैप्शन कर लें। जिस तरह यूएस हमारे केस में कर रहा है और यदि वह पाकिस्तान के लिए एक्सैप्शन करता है तो हम उसे कैसे रोक पाएंगे? अगर कल को पाकिस्तान न्यूक्लिअर टैस्ट करता है और नई टेक्नोलॉजी हासिल करने की कोशिश करता है, तो उसका जवाब हमारे देश में क्या होगा? सर, मैं आपसे यह जानना चाहता हूं कि हमारे पास उसका क्या जवाब होगा? ...(व्यवधान)

श्री सभापति: आपका टाइम समाप्त हो रहा है।

श्री शाहिद सिद्दिकी: सर, मैंने आपसे रिस्वेस्ट की थी कि यह इश्यू ऐसा है कि इस पर आप हमें बोलने दीजिए और हम इस पर बार-बार बोलते रहेंगे। मैं समझता हूं कि जब तक यह फाइनली आएगा तब तक इस पर हाउस के अन्दर इस पर दो-तीन बहस और होंगी। मेरा मानना है कि प्रधान मंत्री जी भी इसके महत्व को समझते हैं, इसलिए वह भी बार-बार इस विषय के लिए हाउस में आ रहे हैं।

सर, यह जो ईरान का सवाल है, यह बहुत ही महत्वपूर्ण सवाल है। मेरे बहुत से साथी कहते हैं कि यह हमारे देश की पॉलिसी है कि हम ईरान को न्यूक्लिअर पावर न बनने दें। मैं जानना चाहता हूं कि क्या आईएईए ने यह कहा है कि ईरान न्यूक्लिअर पावर बन रहा है? मामूली टेक्निकल ऑब्जैक्शन्स

हैं। कल को आईएईए हमारे लिए भी टेक्निकल ऑब्जैक्शन्स पैदा कर सकता है और कल को हमारे साथ भी यहीं हो सकता है जो आज ईरान या ईराक के साथ हो रहा है। इस हाइड एक्ट में चार जगह ईरान की बात को रीएम्फेसाइज किया गया है। उसे बार-बार कहा गया है और यह भी कहा गया है कि अमेरिकन एडमिनिस्ट्रेशन को, अमेरिकन कांग्रेस को आ कर यह बताना होगा कि हम ईरान पर क्या कर रहे हैं।

मान लीजिए आज ईरान का विरोध करना हमारे हित में है। मैं जानना चाहता हूं कि आने वाले दस, बीस या तीस साल में भी क्या यह हमारे हित में होगा कि हम ईरान का विरोध करें? क्या आने वाली फॉरेन पॉलिसी को for perpetuity आप गुलाम बना देना चाहते हैं और उसे अमेरिकन फॉरेन पॉलिसी के साथ जोड़ देना चाहते है? मुझे नहीं मालूम कि कल को चीन के साथ हमारे क्या रिलेशन होंगे, मेरे देश का हित क्या होगा, मेरे देश का हित ईरान के साथ जाने में होगा, अमरीका के साथ जाने में होगा अथवा कहां होगा। इस तरह से जब फॉरेन पॉलिसी बांध दी जाती है तो वह देश अपने आपको सॉवरिन देश नहीं कह सकता। आज जो डिपेंडेंस है, जो ग्लॉबलाइजेशन है उसके बीच भी, सर, इस रास्ते पर चलना सम्भव नहीं है। इरान के सवाल पर अगर आप देश को इस तरह बांधगे, आज टेररिज्म की बात है, टेररिज्म पर आप उनको एक्टिवली हेल्प करेंगे, सपोर्ट करेंग टेरॉरिज्म को फाइट करने के लिए, रोकने के लिए, टेररिज्म का उनका इंटरप्रिटेशन क्या है, और हमारा क्या है? हम ऐसे दलदल में जा रहे हैं जिस दलदल में एक बार चले गए वहां से हमारे लिए वापिस आना मुमकिन नहीं होगा। Even with the best of intentions, we cannot come out of it. It is the time that we decide that we need to get out of this, here and now. And, I wish the Prime Minister to have the courage to do that; I wish this House to have the courage to do, that and I wish the Members of the Treasury to rise above their party and political interests and to say it to the Government. As in the United States, bilateral हुआ है, 80 परसेंट साथ हो गए, क्यों बाएलेट्रल हुआ? क्यों तीन Republicans और Democrats साथ आ गए? क्योंकि उनकी जो कंसर्न्स थी वे सारी हाइड एक्ट में मीट की गई हैं? जो इंडिया की कंसर्न्स थीं वे रिजेक्ट हुई हैं। प्रधान मंत्री की जो कंसर्न्स थीं वे रिजेक्ट हुई हैं। आपका जो जुलाई का स्टेटमेंट था उसको इनमें इनकार्पोरेट नहीं किया गया है। यह इसलिए कि दो लोग करीब आ गए, दोनों ने मिलकर वहां के एडमिनिस्ट्रेशन को फोर्स किया। The Republicans and Democrats have worked together to force their Government to act in the interests of the United States. I want the Congressmen, the BJP, the Samajwadi Party and the Left to come together in the interests of this country, and the future of this country, and force this Government to withdraw itself from this suicidal act, from this suicidal agreement. We don't wish to commit

suicide after all the sacrifices that we have made in the last 50 years. Thank you, Sir.

شری شاہد صدیقی ''اتر پردیش'' : سر، میں آپ کے ذریعے پردھان منتری جی کا بہت شکر گزار ہوں کہ اس اہم وشئے پر چوتھی بار ہمیں یہاں بات کرنے کا موقع ملا ہے۔ میں جانتا ہوں کہ پردھان منتری جی کو جو کنسرنس ہیں، وہ اس ہاؤس میں بیٹھے ہوئے کسی بھی آدمی سے کم نہیں ہے۔ میں یہ بھی جانتا ہوں کہ پردھان منتری جی میں اس بات کا ساہس ہے کہ اگر انہوں نے یہ راستہ اپنایا تھا، اس راستے کو اپنانے کا ساہس اور ہمت کی تھی تو اگر انہیں لگتا ہے کہ یہ راستہ غلط ہے، جیسا کہ ارون شوری جی نے کہا کہ اس راستے پر دلدل میں پھنسنے والے ہیں، تو ان میں ساہس ہوگا کہ اس راستے سے واپس آ جائیں اور دیش سے کہیں کہ ہم اس راستے پر غلط گئے، ہم سے غلطی ہوئی۔ سر، یہ ساہس ایک بڑے نیتا کی نشانی ہوتی ہے اور مجھے وشواس ہے کہ پردھان منتری جی میں یہ ساہس ہے۔

سر، ارون شوری جی نے بہت تفصیل سے بہت ساری باتوں پر روشنی ڈال دی ہے۔ میں تو آپ کے سامنے دو چار ایسی باتیں رکھنا چاہوں گا، جن پر بات نہیں ہوئی۔ ایک بنیادی بات یہ ہے کہ ہم بار بار بحث کرتے ہیں اور بحث کا کوئی نتیجہ نہیں نکلتا، کیوں کہ سرکار کی طرف سے کہہ دیا جاتا ہے کہ ابھی رُکیے ابھی عشق کے امتحان اور بھی ہیں، ابھی ہم منزل پر نہیں آئے، آپ کہاں شکایت کر رہے ہیں آپ کی ساری شکایتیں دور ہو جائیں گی، اگلے پڑاؤ پر پہنچنے دیجئے۔ یہ بات بار بار کہی جاتی ہے اور مجھے یقین ہے کہ اب بھی وہی بات کہی جائے گی۔ ایکٹ ۵۴ کے جو 123 سیکشنس ہیں، جو 123 ایگریمنٹ ہم کرنے والے ہیں، اس ایگریمنٹ سے we will meet all the concerns. لیکن سر، مجھے یہ کہنے دیجئے۔ مجھ سے زیادہ سمجھ دار لوگ ادھر بیٹھے ہوئے ہیں، خاص طور پر شری آنند شرما جی۔ لیکن میں جتنا اس کو سمجھ پایا ہوں، میں نے پورے Hyde Act. کو پڑھا ہے۔ There is nothing hidden in the Hyde Act. ہر چیز اسپشٹ ہے، صاف ہے اور 123 ایگریمنٹ کو اگر آپ اس کے ساتھ جوڑ دیجئے، تو وہ اور صاف ہو جاتی ہے۔ مجھے کہیں manoeuvrability کے لئے اسپیس نظر نہیں آتا۔ آپ

†Transliteration of Urdu Script.

کو امریکن کانگریس نے باندھ دیا ہے، جکڑ دیا ہے۔ یہ جو ایکٹ آیا ہے، Hyde Act اس میں آپ کے پاس کوئی گنجائش نہیں ہے۔ اس کے بعد اگر آپ کہتے ہیں تو یہ ایک illusion ہے یہ ایک delusion ہے۔ آپ کہتے ہیں کہ پرائم منسٹر نے اس ہاؤس کے اندر جو کمٹمنٹ کئے تھے ہم اس کمٹمنٹس کو میٹ کریں گے، تو مجھے حیرت بھی ہوتی ہے، افسوس بھی ہوتا ہے اور شرم بھی آتی ہے کہ آپ اس طرح کا کمٹمنٹ اس ہاؤس میں بار بار کیسے کر سکتے ہیں، جبکہ آپ جانتے ہیں کہ آپ اس کمٹمنٹ کو میٹ نہیں کر پائیں گے۔ .....(شری سبھاپتی صدر نشیں ہوئے)..... اس لئے یہ جو argument ہے، کہ یہ جو 1 2 3 کا ایگریمنٹ ہے، اس میں ہم آپ کی کنسرنس کو میٹ کر لیں گے اور پرائم منسٹر کے جو کمٹمنٹس ہیں، وہ پورے ہو جائیں گے۔ Nobody is going to buy that argument. اس ایکٹ کو جس نے تھوڑا بہت بھی پڑھا ہے، وہ جانتا ہے کہ یہ سمجھوتہ نہیں ہے۔ اس لئے چیئرمین صاحب، میں آپ کے ذریعہ گزارش کرنا چاہونگا کہ یہ معاملہ صرف راشٹریہ مہتو کا نہیں ہے، یہ آنے والے 200-100 سالوں کے اندر ہم کہاں کھڑے ہونگے، کیسے کھڑے ہونے، ہمارا بھوشے کیا ہوگا، ہماری حالت عراق جیسی ہوگی یا ہم چین سے آگے جائیں گے، اس بات کا فیصلہ اس سے ہونے والا ہے۔ اس لئے اس پر پورا دھیان دیجئے۔ ایک ایک شبد کو پڑھئے، چاہے آپ کو جتنی محنت کرنی پڑے۔ کیوں کہ ہمارے بہت سے ساتھی فائدہ اٹھا لیتے ہیں کہ ہم ان لیگل ٹرمس میں اور اس ڈیٹیل میں جا نہیں پاتے۔ ہمارا میڈیا بھی شاید آسان راستے ڈھونڈتا ہے۔ آج ہر چیز انسٹنٹ ہے، تو اس پر ایک انسٹنٹ ری ایکشن ہوتا ہے اور وہ reaction depth میں جا کر نہیں ہوتا۔

اس لئے سر، میں کہنا چاہتا ہوں، ریکویسٹ کرنا چاہتا ہوں، اس ہاؤس کا سمرتھن کرنا چاہتا ہوں کہ یہ جو ایگریمنٹ آپ کریں، تو اس ایگریمنٹ پر سائن نہیں ہوگا، کیوں کہ آپ بھی جانتے ہیں کہ جب یہ ایگریمنٹ ہوگا، تب یہ ایگریمنٹ اس ہاؤس میں ہی واپس جائے گا اور وہ ہاؤس دیکھے گا کہ یہ جو ایگریمنٹ آپ نے کیا ہے، is it in accordance with the Hyde Act? انہوں نے جو لمیٹیشنس بنائے ہیں، انہوں نے جو rigid and iron framework بنایا ہے، اس framework

†Transliteration of Urdu Script

کے اندر یہ ایگریمنٹ ہوا ہے کہ نہیں، وہ اس کو دیکھیں گے اور اگر اس سے یہ ذرا سا بھی ہٹیگا، تو میں یہ سمجھتا ہوں کہ اس کو وہ ماننے والے نہیں ہیں۔ ان کے پاس یہ واپس جائے گا۔ میں اس ہاؤس سے کہنا چاہتا ہوں، ہماری بھی آپ سے یہ وِنتی ہے اور پرزور اپیل ہے کہ اس ایکٹ کو، اس ایگریمنٹ کو، اس ہاؤس کے اندر لائیے، اس پارلیمنٹ کے اندر لائیے اور یہ پارلیمنٹ اس بات کو دیکھے گی کہ یہ جو ایگریمنٹ ہوا ہے، یہ ایگریمنٹ in accordance ہے، پردھان منتری کے جو وعدے تھے، جو کمٹمنٹ تھی، ان کے مطابق ہے کہ نہیں۔ میں جانتا ہوں کہ ہماری constitutional position نہیں ہے، ہمارے یہاں executive اور legislature کا سپریشن نہیں ہے۔ لیکن دیش کے ہت میں اور کیوں کہ یہ دیش کے لئے اتنا اہم ہے، مجھے وشواس ہے کہ پردھان منتری جی آج بھی یہ کمٹمنٹ دیں گے کہ اس ایگریمنٹ کو ہم بھی اسی طریق سے دیکھیں گے اور سمجھیں گے اور اس کے بعد اس ایگریمنٹ پر کوئی سائن ہوگا۔ کیوں کہ اس پر ایک بار سسائن ہو گیا اور اس کے بعد ہمارے ہاؤس میں آئے گا، تو پھر ہم اس پر کچھ نہیں کر پائیں گے۔ آپ بھی یہ کہیں گے کہ international obligations ہیں اور آنے والی سرکاریں، اس سے بندھ جائیں گی۔

دوسری بات، سر، میں یہ کہنا چاہتا ہوں کہ ہمیں کاسٹ بینیفٹ ریشو کو دیکھنا ہوگا۔ میں یہ نہیں کہتا کہ اس ایگریمنٹ سے ہمیں کوئی فائدہ نہیں ہونے والا، فائدہ ہونے والا ہے، بٹ ایٹ وھاٹ کوسٹ؟ ہم ایز جی سکیورٹ کی بات کرتے ہیں۔ کیا ہمیں ایز جی سیکورٹ اس کے ذریعہ ملنے والی ہے؟ ۲۰۲۰ تک، ۲۰۳۰ تک 8% نیوکلیئر ایز جی ہمارے پاس ہوگی، جیسا ارون جی نے کہا، میں اس کی ڈیٹیل میں نہیں جانا چاہتا، آپ بھی اس بات کو سمجھتے ہیں کہ ہمارے ایز جی سیکورٹی اس بائی کاسٹ نیوکلیئر ایز جی سے نہیں ہونے والی ہے، یہ بڑا صاف ہے۔ بچوں کو بہلانے کے لئے یہ بات کہی جا سکتی ہے، لیکن کوئی بھی سمجھدار آدمی یہ بات جانتا ہے کہ اس دیش کی نیوکلیئر ایز جی سے نہیں ہونے والی ہے۔ تو پھر آپ یہ ایگریمنٹ کیوں کر رہے ہیں؟ آپ کیوں اتنے مہنگے رسورسز پر جا رہے ہیں، جب کہ اسپشٹ روپ سے یہاں پر کہہ دیا گیا ہے کہ آپ کو امریکن کانگریس کے سامنے

†Transliteration of Urdu Script.

صرف یہ رپورٹ ہی نہیں دینی کہ آپ کمٹمنٹ پر چل رہے ہیں، بلکہ یہ بھی رپورٹ کرنی ہے کہ ہندستان میں آنے والے سالوں میں، آنے والے وقت میں یورینیم کو کس طریقے سے نکالا جائے گا، یورینیم کا کیا پریوگ ہوگا۔ یہاں پر یہ بات کہی گئی ہے کہ an estimate of (i) the amount of uranium *mined and milled in India during the previous year; this is to be reported to the* ....(ii) the amount of such uranium کہ ہم نے کتنی یورینیم نکالی۔ American Congress that has likely been used or allocated for the production of nuclear explosive devices; and (iii) the rate of production in India of- (I) fissile material for nuclear explosive devices; and (II) nuclear, explosive devices; اس کے بعد یہ بھی بتانا پڑیگا کہ an estimate of the amount of electricity India's nuclear reactors produced for civil purposes during the previous year کس کو بتائیں گے؟ امریکن کانگریس کو کہ کتنی بجلی آپنے بنائی ہے۔ and the proportion of such production that can be attributed to India's declared civil reactors سر، ہمیں صرف یہی رپورٹ نہیں کرنی ہے اور جیسا کہ ارون جی نے کہا، سال میں ایک بار ہی نہیں کرنی ہے، بلکہ جب چاہے کانگریس امریکن ایڈمنسٹریشن کے پاس جاسکتی ہے اور وہاں پر ہماری شکایت درج کراسکتی ہے۔ ہماری شکایت اس پر بھی ہوسکتی ہے کہ ہم نے ایران کو کنفین کرنے میں، ٹیرارزم کو کنفین کرنے میں کتنا کوآپریشن دیا اور وہ ایکٹیو کوآپریشن تھا کہ نہیں۔ Was it to the satisfaction of American Administration? Was it to the satisfaction of the American Congress? اگر نہیں تھا، تو وہ بھی ایک ایشو بنایا جاسکتا ہے اس بات کے لئے کہ ہم نے کوآپریٹ نہیں کیا، ہم نے اس ایگریمنٹ کی، اس ہائیڈ ایکٹ کی ٹرمس کو ڈیفائن کیا اور کل کو وہ ایک بیس بن سکتا ہے اس پورے ایگریمنٹ کو abrogade کرنے کے لئے۔ یہ بات یہاں پر اسپشٹ کی گئی ہے۔ اس کے بعد بھی آپ کیوں اس ایگریمنٹ میں جانا چاہتے ہیں؟ یہ آپ بتایئے کہ آپ کیوں جانا چاہتے ہیں؟ کیا آپ اس لئے جانا چاہتے ہیں کہ انویسٹمنٹ بہت آئے گا۔ مجھے نظر نہیں آتا۔ انویسٹمنٹ ہماری ہی ضرورت نہیں، ان کی بھی ضرورت ہے۔ آج امریکن اکانامی کی گروتھ ریٹ

†Transliteration of Urdu Script.

۳ فیصد ہے اور اگر ان کو اپنا گروتھ ریٹ بنائے رکھنا ہے، اپنی انڈسٹریز چالو رکھنی ہیں تو انہیں ہندستان میں آن پڑیگا، ہندستان مین انوسٹ کرنا پڑیگا، ہندستان کی مارکیٹ کو انہیں استعمال کرنا پڑیگا اور وہ کر رہے ہیں۔ اگر آپ سمجھتے ہیں کہ یہ ایگریمنٹ نہیں ہوا تو ہم انوسٹمنٹ لوز کر دیں گے، میں آپ سے کہنا چاہتا ہوں کہ انویسٹمنٹ ہماری مجبوری اتنی نہیں ہے، جتنی ان کی مجبوری ہے۔ They will come anyway. So, whether we have this agreement or not اس لئے اس اگریمنٹ کو اس کی بنیاد نہ بنایا جائے، جو بہت سارا میڈیا کہنے کی کوشش کر رہا ہے کہ ہندستان میں انوسٹمنٹ کے دریا بہہ جائیں گے، ہمارے ایگریکلچر میں بہت بھاری انویسٹمنٹ آجائے گا، ہمارے ریٹیل میں بہت بھاری انوسٹمنٹ آجائے گا، انشورینس سیکٹر میں آجائے گا۔ اس کے لئے اس کو بنیاد آپ مت بنایئے۔

تیسری بات میں یہ کہنا چاہتا ہوں کہ ایک بات ہمارے سائنٹسٹ کہتے رہے ہیں کہ آنے والے وقت میں ہمارے تھوریم ریزروس اتنے بڑے ہیں کہ اگر ان کا استعمال ہم کریں گے تو ہمیں کسی اور چیز کی ضرورت نہیں رہ جائے گی۔ لیکن یہاں پر یہ بات صاف آرہی ہے کہ یہاں پر جو تھری اسٹیج سائیکل ہے، اسے ہم کمپلیٹ نہیں کر پائیں گے، اس سائیکل پر ہم جا نہیں پائیں گے اور as a result, "reprocessing of spent fuel to separate..... یہ میں کوٹ کر رہا ہوں شری ایم آر شرینواسن سے، جو کہ فارمر چیئرمین آف دی انرجی کمیشن تھے۔ ان کا کہنا یہ ہے، "Reprocessing of spent fuel to separate plutonium is extremely important in the Indian context. The Indian nuclear fuel cycle is crucially dependent on the use of Fast Breeder Reactors in the second stage and of thorium-based systems in the third stage. Separation of plutonium is essential for the eventual use of thorium as a nuclear fuel. India therefore expects that reprocessing will be an important activity of its nuclear energy programme."

اس لئے سر، آنے والے سمے میں، ہمارے تھوریم ریزروس کی وجہ سے، ہمیں جو ایڈوانٹیج ملنے والا ہے، اس ایڈوانٹیج کو ہم چھوڑ دینا چاہتے ہین، اسے گروی رکھ دینا چاہتے ہیں، امریکن کانگریس کے

†Transliteration of Urdu Script.

کنٹرول میں لے آنا چاہتے ہیں، کیوں کہ امریکن کانگریس یہ سائن کرے گی کہ ہماری ریچ سیٹنگ کہاں ہوگی، کیسے ہوگی اور کتنی ہوگی اور جو ہمارا اسپینٹ فیول ہے، وہ کس طرح سے جائے گا، کہاں جائے گا، کیسے جائے گا، یہ سب چیزیں ہم نے امریکن کانگریس کے ہاتھ میں دے دی ہیں۔ میں اس بات کو سمجھ نہیں پا رہا ہوں کہ ہم ایسا کیوں کر رہے ہیں۔

۶۰ برس تک اپنے ہی اوپر پابندیاں رکھے، اس دیش و دیہاں تک لانے والے ہمارے سائنٹسٹ اور ہمارے دیش کے نیتا، جس میں کانگریس کے مہان نیتا بھی شامل ہیں، جن کا بہت بڑی یوگدان رہا ہے، جیسے پنڈت جواہر لال نہرو، شریمتی اندرا گاندھی، شری راجیو گاندھی لیکن اس کے بعد آج ہمیں اس سے کیا ملنے والا ہے، پردھان منتری جی آپ ہمیں یہ بتائیں؟ ہمیں معلوم ہے کہ Why are we ready to pay such a high price for something which is not going to provide us energy security or anything else?

سر، دوسری بات یہ ہے کہ ہمارے اوپر نیوکلیئر ٹیسٹ کرنے پر بھی کیپ لگ گیا ہے۔ ہمارے یہاں یہ کہا جاتا ہے کہ یونیلیٹرلی ہم نے اپنے آپ یہ کہا ہوا ہے۔ سر، اگر ہمیں اپنے لئے سیکورٹی چاہئے تو ہمیں اس بات کو دیکھنا پڑے گا، جیسا کہ ابھی سے پہلے بھی کہا گیا کہ کیسی کیسی نئی ٹیکنالوجی آ رہی ہے۔ آپ یو۔ایس۔ رزنیل ریپلیسمینٹ ویپنس کے اوپر کام کر رہا ہے اور اس کے بہت قریب ہے۔ وہ ویپنس جو نئی ٹیکنالوجی کے ساتھ آنے والے ہیں، اسی پر چائنا بھی کام کر رہا ہے اور آنے والے سمے میں پاکستان بھی اس سے یہ چیزیں لے سکتا ہے۔ لیکن ہم نے اپنے ہاتھ پیر باندھ دئے ہیں، ہم ان چیزوں پر نہیں جا سکتے ہیں۔ آج ہم نے جو پوزیشن حاصل کی ہے، آج ہم نے اپنی سیکورٹی کو اس لیوس پر پہنچایا ہے، ہم اس کو قربان کرنے کو، انہیں دے دینے کو تیار ہے۔ میں پردھان منتری جی سے یہ جاننا چاہتا ہوں کہ کل کو اگر چائنا بھی ایک ایکسپلوژن کر لے، جس طرح یو۔ایس۔ ہمارے کیس میں کر رہا ہے اور اگر یہ پاکستان کے لئے ایکسپلوژن کرتا ہے، تو ہم اسے کیسے روک پائیں گے؟ اگر کل کو پاکستان نیوکلیئر ٹیسٹ کرتا ہے اور نئی ٹیکنالوجی حاصل کرنے کی کوشش کرتا ہے، تو اس کا جواب ہمارے دیش میں کیا

†Transliteration of Urdu Script.

ہوگا؟ سر، میں آپ سے یہ جاننا چاہتا ہوں کہ ہمارے پاس اس کا کیا جواب ہوگا؟...مداخلت...

شری سجاپتی: آپ کا ٹائم سماپت ہو رہا ہے۔

شری شاہد صدیقی: سر، میں آپ سے ریکویسٹ کی تھی کہ یہ ایشو ایسا ہے کہ اس پر آپ ہمیں بولنے دیجئے اور ہم اس پر بار بار بولتے رہیں گے۔ میں سمجھتا ہوں کہ جب تک یہ فائنلی آئے گا تب تک اس پر ہاؤس کے اندر اس پر دو تین بحث اور ہوں گی۔ میرا ماننا ہے کہ پردھان منتری جی بھی اس کی اہمیت کو سمجھتے ہیں، اسی لئے وہ بھی بار بار اس وشئے کے لئے ہاؤس میں آ رہے ہیں۔

سر، یہ جو ایران کا سوال ہے، یہ بہت ہی اہم سوال ہے۔ میرے بہت سے ساتھی کہتے ہیں کہ یہ ہمارے دیش کی پالیسی ہے کہ ہم ایران کو نیوکلیئر پاور نہ بننے دیں۔ میں جاننا چاہتا ہوں کہ کیا آئی۔اے۔ای۔اے۔ نے یہ کہا ہے کہ ایران نیوکلیئر پاور بن رہا ہے؟ معمولی ٹیکنکل آبجیکشنس ہیں، کل کو آئی۔اے۔ای۔اے۔ ہمارے لئے بھی ٹیکنکل آبجیکشنس پیدا کر سکتا ہے یا کل کو ہمارے ساتھ بھی وہی ہو سکتا ہے جو آج ایران یا عراق کے ساتھ ہو رہا ہے۔ اس ہائڈ ایکٹ میں چار جگہ ایران کی بات کو ری ایمفسائز کیا گیا ہے، اسے بار بار کہا گیا ہے اور یہ بھی کہا گیا ہے کہ امریکن ایڈمنسٹریشن کو، امریکن کانگریس کو آ کر یہ بتانا ہوگا کہ ہم ایران پر کیا کر رہے ہیں۔

ہت کیا ہوگا، میرے دیش کا ہت ایران کے ساتھ جانے میں ہوگا، امریکہ کے ساتھ جانے میں ہوگا اتھوا کہاں ہوگا؟

اس طرح سے جب فارن پالیسی باندھ دی جاتی ہے تو وہ دیش اپنے آپ کو سوورن دیش نہیں کہہ سکتا۔ آج جو ڈیپنڈینس ہیں، جو گلوبلائزیشن ہیں اس کے بیچ بھی، سر، اس راستے پر چلنا سمبھو نہیں

†Transliteration of Urdu Script.

مان لیجئے آج ایران کا ورودھ کرنا ہمارے ہت میں ہے، میں جاننا چاہتا ہوں کہ آنے والے دس، بیس یا تیس سال میں بھی کیا یہ ہمارے ہت میں ہوگا کہ ہم ایران کا ورودھ کریں؟ کیا آنے والی فارین پالیسی کو for perpetuity آپ غلام بنا دینا چاہتے ہیں اور اسے امریکن فارن پالیسی کے ساتھ جوڑ دینا چاہتے ہیں؟ مجھے نہیں معلوم کہ کل کو چین کے ساتھ ہمارے کیا ریلیشن ہوں گے، میرے دیش کا

ہے۔ ایران کے سوال پر اگر آپ دیش کو اس طرح باندھیں گے، آج ٹیررزم کی بات ہے، ٹیررزم پر آپ ان کو ایکٹولی ہیلپ کریں گے، سپورٹ کریں گے ٹیررزم کو فائٹ کرنے کے لئے، روکنے کے لئے، ٹیررزم ان کا انٹرپریٹیشن کیا ہے۔ اور ہمارا کیا ہے؟ ہم ایسے دلدل میں جا رہے ہیں جس دلدل میں ایک بار چلے گئے وہاں سے ہمارے لئے واپس آنا ممکن نہیں ہوگا۔ Even with the best of intentions, we cannot come out of it. It is the time that we decide that we need to get out of this, here and now. And, I wish the Prime Minister to have the courage to do that; I wish this House to have the courage to do, that and I wish the Treasury to rise above their party and political interests and to say Members of the ہوا ہے، ۸۰ فیصد ساتھ ہو گئے، it to the Government. As in the United States, bilateral کیوں بائلیٹری ہوا؟ کیوں تین ریپبلکنس اور ڈیموکریٹس ساتھ آ گئے؟ کیوں کہ ان کی جو کنسرنس تھیں وہ ساری ہائڈ ایکٹ میں میٹ کی گئی ہیں، جو انڈیا کی کنسرنس تھیں وہ رجیکٹ ہوئی ہیں۔ پردھان منتری کی جو کنسرنس تھیں وہ رجیکٹ ہوئی ہیں۔ آپ کا جو جولائی کا اسٹیٹمینٹ تھا اس کو اس میں انکارپوریٹ نہیں کیا گیا ہے۔ یہ اس لئے کہ دو لوگ قریب آ گئے، دونوں نے مل کر وہاں کے ایڈمنسٹریشن کو فورس کیا

†Transliteration of Urdu Script.

The Republicans and Democrats have worked together to force their Government to act in the interests of the United States. I want to Congressmen, the BJP, the Samajwadi Party and the Left to come together in the interests of this country, and the future of this country, and force this Government to withdraw itself from this suicidal act, from this suicidal agreement. We don't wist to commit suicide after all the sacrifices that we have made in the last 50 years. Thank you, Sir.

DR. ABHISHEK MANU SINGHVI (RAJASTHAN): Sir, I rise to speak on a subject of great importance on the crossroads, on the interesting crossroads, of politics, technology and law. I respect the sincerity with which learned Members have spoken earlier. Surely, they have strong beliefs in what they have spoken. Sir, I venture to speak with equal sincerity, to support, what I think, is a grand and unique initiative, which will, in no manner, and will not be allowed in any manner, to compromise India's sovereignty and security on the one hand, and yet, lead to the engines of growth, including, in particular, energy security, on the other.

Sir, the debate is, and the debate should be, a debate about power, but not about the power of hegemony, the power of exploding a bomb here or there or there, but truly, of power which comes from being a juggernaut of economic growth, of technological growth and of military growth. Real deterrence, I submit, comes from that power and at the root of that power lies energy security.

Sir, I have heard my friend, Mr. Shourie, with rapt attention. He has raised several important issues, the right to reprocess, the moratorium or ban on testing, the lack of transfer power to transfer technology. the aplicability of the mandatory or so-called mandatory provisions of the US laws, etc. I shall deal with each one of them. But let me start with where he ended. He had ended with energy security, and I start wtih that by saying that this is a debate, an should be a debate, about energy security. But we shall come to the other issues shortly.

Sir, what is the energy situation here today? We are proud that India is one of the few countries of the world which, in the last 25 years, has experienced over six per cent economic growth, year after year. In the last few years, we have experienced eight, and sometimes nine, percent growth, but we are aspiring for higher growth rates. Now, is it possible, in the future, to sustain even a fraction of that growth rate without the basic source of power, namely, enrgy? We don't have to aspire for the French equivalent of 79 per cent to power by nuclear sources; I am not saying that. We don't have to go to the Belgian figure of 60 percent; we don't have to go to the Swedish figure of 42 per cent; I am not suggesting that. We don't have to go for the Swiss figure of 39 per cent or the Spanish figure of 31 per cent. But, Sir, the United Kingdom gets 21 per cent of its energy

from nuclear sources; Japan gets about 30 odd per cent and the US gets about 30 per cent. It is too much to ask for a country which aspires for high growth rates like India that we aspire for a 20 percentage of our total energy needs from nuclear sources? Today we stand at 3 per cent. Sir, we have coal reserves. Fifty per cent of our energy sources come from coal and another 33 per cent from oil. Most of our oil is imported. A lot of our coal is of poor quality. But apart from that, it is a less eficient, more unclean and more environmentally messy method of producing power. Did you know that one tonne of uranium produces for more energy than produced by several million tonnes of coal or several million barrels of oil? That is the equation. We are today the fifty largest energy consumer. We are not anywhere near the highest producer, but we are still the fifth largest consumer in the world. Within 20 years, we are estimated to become the third largest behind the USA and China, and ahead of Japan and Russia. For this gigantic consumption of power, where are we going to get it? But importing more oil, by mining more coal, by setting up beneficiation plants. which are environmentally messy? If we increase from 3 to 5 to 10 per cent, as is projected over the next 25 or 30 years to somewhere near the 20 per cent, the projection is actually beyond 25 per cent: Is that an ambition or an aspiration which is so unfair, so motivated, so blinkered or so one-sided? Sir, it is in this context that in April 2005 a Indo-US Energy Dialogue started. And that is what led ultimately to the 18th of July Declaration. It is this energy security, which is the impulse behind the Prime Minister's statements. It is the bedrock of the second paragraph of the hon. External Affairs Minister's statement a few days ago in each House. Sir, this energy security initiative for India will never be at the cost of our sovereignty and security. Our security and sovereignty concerns are precisely what have taken this already one year and a half. It is precisely those concerns which have taken this issue to so much of scrutiny and so much of discussion, and that shall be, Sir, our watch-word in all the negotiations in the future. We will remember, Sir, the earlier Amercian precedent: that we will never gegotiate out of fear, but we will not fear to negotiate. It is in that spirit that you must see the basic desirability. If we can have a win-win situation of energy security along with our concerns reasonably legitimately met, then I think, Sir, it is something to be commended, something which is clearly win-win. Sir, let me turn first to the broad contours , the larger issues, the huge advantages and the pluses of this deal. This deal, of course when I use the word 'deal' is not yet made; it is not even born; it is not signed, sealed or delivered. It is therefore, particularly unfortunate that an agreement, not yet born, is subject to so much criticism. But when I say 'deal', I think of the proposed one, two, three agreement yet to be born in its nitty-gritty. But, Sir, let us just look at

the broad advantages and then I will deal with each of the specific issues raised by my very learned friends. Sir it is truly historic initiative and something for which carping criticism should give way to a certain amount of a congratulatory mood. It opens up, Sir, for the first time, in forty years of isolation, barriers of distrust and suspicion, of nuclear and technological ostracism for India. It provides us with a reasonable plan to come somewhere near 20 per cent of nuclear source for our entire energy needs. It provides an unprecedented, a unique, only India specific waiver. India is going to be the only country, Sir, which, having exploded a bomb, possessing bombs and being a *de facto* declared nuclear power, a country which has an ongoing strategic programme, a country which has insisted on not signing the NPT, a country which is not going to subject all its installations to safeguards, with all this, India is going to be the only country to join that club of countries which can receive nuclear energy, nuclear fuel and nuclear equipment. That is the heart of this agreement. But, Sir, with that, what has in practice this 40 years of isolation meant? It has meant, to give a simple example, that so-called dual use technologies are available to us. Many years ago, Sir, for our meteorological purposes, we wanted the super computer called Crays computer. It would have done a huge amount of good to our weather forecasting purposes, totally peaceful, totally beneficial, totally progressive. It was denied, Sir, on the ground that it is capable of being misused for nuclear purposes because obviously such computers have a small dual use as well. Similarly, something less sophisticated than that, something simpler than that, something called a three axis lathe machine, was also denied to us because of a fear that it may be used for nuclear warheads. These are only examples. A huge gamut of dual use technology will now be available to us, or riding on the back of the main nuclear equipment and a fuel which you will get. Sir, I will give you a very interesting recent example. China, as you know, is a declared nuclear power, one of the original Five, somebody who belongs to the unique club, does not subject itself to the usual safeguards. We are much later. A country like China signed two pacts recently, one with the USA and another with Australia—with Australia for getting uranium and with the USA for getting nuclear equipment. It signed those two pacts on terms much, much more stringent, much, much more tntrusive than the 123 Agreement, proposed in the near future between India and the USA. China did it despite being a declared nuclear power. It did it happily and willingly because it saw that nuclear energy, the facility and the engine of economic growth which it provides is a very desirable objective and the intrusive safeguards are on a cost benefit basis not so bad. Sir, we are allowed in this Agreement to separate our strategic programme the

euphemism to the military programme, on the one hand, and our civilian programme. It is we who decide how many reactors in future we will build. Theoretically, we can build all reactors and allocate them to our strategic programme and not give one to the civilian side. If, however, we choose to designate any reactor, present or future, as civilian, then, of course, we will willingly subject it to safeguard. Sir, the military, the strategic concerns, are completely divorced by a Chinese Wall. There is an absolute separation and that is the so-called Separation Plan.

Sir, the sequencing of this Pact is important. We could have been asked to sign the 123 Agreement first and we could have been asked then to wait for the US legislation. We could have been asked to sign the 123 Agreement first and the IAEA Safeguards Agreement also first and then wait for the US legislation. We had specified and negotiated hard, and today what do we have? We have a US legislation first. We will take steps but not sign the IAEA Safeguards Agreement. We will first negotiate fully the 123 Agreement without signing the IAEA Safeguards Agreement. And, it is only after we negotiate and sign a 123 Agreement to our satisfaction that we will be obliged to sign the IAEA Safeguards Agreement. And, of course, it is important that our 123 Agreement will follow after and not precede the US legislation. Therefore, when we sign something after the US legislation and we sign a treaty with the US, it is obvious that the concerns which deviate from that Act which the US has passed will be as governed in the Agreement and not in the Act. I will deal with that issue a little later because it has a lot of legal overtones. So, Sir, what we will sign is what we will accept and what we will accept is what we will sign. And that is an international treaty under 123 Agreement. Sir, my friend talked about uranium. As far as I know—I don't know about the study he quotes—if wishes were horses all of us could fly. Perhaps, there is a wishful thinking in that study. I hope it comes true in the future. But, let us talk of the facts today. Sir, I would rather relay on our Planning Commission and our technological scientists than on a person who says that there are huge uranium reserves in the bed of the earth in India and you should throw out the tribes and take them out of the bowels of the earth. Our total uranium reserves on the official account estimated, published and known to the Government of India are 78,000 tonnes. And 78,000 tonnes are all that we have to go by today. I don't see the reason for the great sanguine approach, the very highly optimism approach of my friend. The Planning Commission

has said that our uranium reserves are very low. Scientists, eminent scientists, including a former head of the Atomic Energy Commission—and I can name him—have said that our uranium reserves are low. But more than that, a constant dependency and looking over our back on such fuel means that our plants run inefficiently. They overshoot deadlines and targets and we always make the excuse of lack of fuel.

So, Sir, in this scenario, let us turn now to a very important aspect which I think is a crucial aspect. As I said, this is a technical, political and legal issue. Mr. Shourie has rightly referred to the various sections. He referred to section 103, in particular, when he started his speech. He referred to section 109. There are also sections 101 and 102. Now, Sir, since we are all Members of Parliament, here, I must share with you a great peculiarity about the US legislative process. We both have as our mother country, England—the colonial masters were the same. But the colonical masters carried a parliamentary democratic system into its own country and replicated it in many Commonwealth countries including India. We have a parliamentary democracy. In a parliamentary democracy, normally, on the English model, the Executive is broadly a subset of the Legislature. A famous author described the Executive as the committee of the Legislature. Perhaps because the Americans were more revolutionary and, perhaps, because they had a more bloody battle with the British, they decided to be very different. They got into the separation of powers and today, more than France, more than other countries, the last greatest bastion of separation of powers in the world, is the US. What does it mean in practice? What does it mean for our 123 Agreement? It means this. What we call in the usual analogy, what we do on Fridays here, Private Member's Bills, is how legislation frequently starts in the US, in both the Senate and the Congress because the Executive is not part of the Legislature. The Government of the day, the Executive of the day, does not create, pilot, move or cary legislation, as the Government here does. The administration is outside of the legislation. What is the result? And a very direct result for our case and that is where, I submit, with utmost respect to my friend, he has erred gravely and it is very misleading to refer to those sections. The result of this is, as an Act comes out of the Houses of Congress and Senate, it contains two totally radically different parts. I contains an explicitly stated non-binding part, an advisory and recommendatory part. Take, for example, he did not mention sections 101

and 102. I will come to section 103 in a moment. Let me complete Mr. Shourie.

SHRI ARUN SHOURIE: I said that section 106 is mandatory.

DR. ABHISHEK MANU SINGHVI: Exactly. You are absolutely right. You may notice that I did not mention section 106. I mentioned sections 101, 102 ....(*Interruptions*)... Give me a moment, Mr. Shourie. I mentioned sections 101, 102, 103 and 109. I was going to say, before you interrupted, that section 106 is, in fact, mandatory and that is what the Government of India is going to negotiate shortly. But, allow me to complete. You mentioned four other sections. All of them, I submit, with utmost respect to you, are non-mandatory and non-binding. Let me explain. Section 101 has a provision called 'sense of the House'. Have you ever seen a provision like that in the Indian Statute referring to the sense of the House? Section 102 says, statement of policy. That is why before the US President, whom you quoted, the US Ambassador to India, many days ago, when this was being discussed said this, and I quote the US Ambassador to India on this subject. He said: "The Bill that you referred to, has a short of legislative segment in it." I am quoting Ambassador Mulford, what he said on 13th or 16th of June, 2006. Surely, Sir, you will give greater weight to the American's own understanding of their law than yours and mine. The President of U.S.A. thinks 'allow' means this; the Ambassador thinks it means this. Surely, with all the learning we both have. I think, we must defer to their understanding of their own law. Sir, Ambassador Mulford said: "The Bill that you referred to, has a sort of legislative segement in it, which are the provisions that are to become law. There is also often a declaratory preamble to legislation in the US and those declaratory provisions and positions are not binding..." And after a few lines, he says again: "So, what is significant in my view is that the issues that were potentially troublesome in terms" that is very important; there comes your Iran, there comes your reporting requirement, there comes a lot of other things. I will deal with them in a moment-and I quote: The issues that were potentially troublesome in terms of legislative process, were all moved and incorporated into the declaratory, non-binding area of the Bill, and not in the enforceable part of the Bill. That was a huge victory, he said." Why? It is important to have those declaratory parts because it allows them to let off steam, it allows the legislature of USA to express a pious hope and intent. But, that is not a mandatory legislation, and that is why, Sir, the U.S. President has said, as you rightly

quoted, and I quote him. You referred to Section 103. The U.S. President said not long ago, very recently. "Section 103 of the Act purports to establish US policy with respect to various international affair matters. My approval, that is, the US President's approval of the Act does not constitute my adoption of the State of policy as US Foreign Policy." So, Sir, the direct answer to your basic fundamental question, the question you asked, is this. Does this bind USA? The answer is an emphatic no. It does not bind USA. That is where the fallacy of your argument lies. Yes, one section does, and that is the bone of contention. That section is going to be the bone of contention between us and the USA when we negotiate the 123 Agreement, that is, the nuclear testing issue, to which I will come later. But each and every other section, which you have referred to, Sir, perhaps, by oversight or deliberation, is the non-binding, advisory and recommendatory part. That will create an impression that USA is bound by intrusive provisions.

Now, Sir, having allowed the steam to let off in the US legislation, let us turn to the legitimate concern of the House. It is a concern which I share with you as an India, as a Member of Parliament. It is a concern which is important, and there are three or four legitimate areas of concern. Sir, remember, if there is any provision which we do not like, we have firstly, the right to walk away. Who has told us that we will sign the agreement? The Prime Minister has not said so. The House has not said so. India has not said so. We have a right to walk away. But more than that, Sir, we have also a right to persuade USA to change its policy, and Sir, that change in policy can include a change in the US law that was passed a few days ago. Laws are not sacrosanct. If they do not suit us, we will walk away. Let me take your three major legitimate concerns one by one. The first is no right to reprocess the spent US fuel. Sir, it is very important. Tarapore today has growing stockpiles of spent US fuel because it is US fuel which is used, which U.S.A. neither accepts back nor allows us to reprocess. Now, we cannot live with growing stockpiles like that. There are hazards. Now, it is interesting to note one thing. If you look carefully, the legislation nowhere stops, prohibits or inhibits us in any manner from reprocessing. That is an important point to note. The Act does not prohibit us. We can use the US fuel and reprocess it. But the US policy prohibits it. The US non-statutory policy does not allow us to reprocess it. The USA has given a permanent waiver for reprocessing purpose of this kind only to

three entities in the world, Japan, Switzerland and the European Union where they have got what they call "URATOM". Only these three countries have got permanent waiver and they can reprocess. India is going to ask only for a similar waiver. We are going to ask for the inclusion of that waiver in our 123 Agreement. We are going to do so because we believe that it is not acceptable to have stockpiles growing up at Tarapore which we can neither reprocess nor return to the US. That is totally valid. That is the whole meaning of waiving. That is why this criticism, with utmost respect, Sir, is premature. We are going to negotiate and if we have negotiated thus far with the skills of the hon. Prime Minister and with the skills of the hon. Minister of External Affairs, then, we must have trust and faith in their abilities and their confidence to negotiate further. We have negotiated much closer to an agreement which you were trying to negotiate. Perhaps, you were farther away from its conclusion. But that is not the point. Why should we wait for the negotiation to complete? This will be a major negotiating block.

Sir, there is a certain issue which is a very important issue— no testing in future. You are absolutely right. It is an important issue. Of all the issues which you have mentioned, this is the only one issue which is part of the binding part of the Statute 106. But I would like to just point out some interesting things here. India exploded a device way back in 1974. From 1974 till 1998, neither Mrs. Indira Gandhi, whom you fondly remember, nor any successor Government declared any kind of moratorium, voluntary or involuntary, on nuclear testing. I am going back and I am just reminding you because whether we remember Mrs. Indira Gandhi or not you must remember Mr. Vajpayee. In 1998, the then Government, whose former Foreign Minister is sitting in the House, made a statement *suo motu*, unilaterally and voluntarily putting itself a moratorium on India against nuclear testing in perpetuity. It was in perpetuity. Let us face facts. (*Interruptions*)...Now, since we are a responsible country, we abide by all such commitments. But, nevertheless, this Government is committed to pointing out to the US in the 123 Agreement negotiations that, "Yes, as a matter of our own Indian policy, we shall adhere to the moratorium on testing, but not as a matter of binding, as per the law in your statute. We are not going to agree to a ban in terms of the 123 Agreement, although you have, in fact, made a unilateral declaration".

Now, just a small aside. I have here with me the photocopies of

Mr. Vajpayee's statement of 24th September 1998 in the General Assembly, where he categorically stated that "India is prepared to sign the CTBT". I have right here a photocopy of the written statement of Mr. Jaswant singh, ther then Foreign Minister, made on 22nd September, 1999 in the General Assembly, repeating almost verbatim Mr. Vajpayee's assurance to sign the CTBT. But that is not the point. As you know, a CTBT means absolutely no testing by a formal treaty. But even before that, you had announced a voluntary moratorium on testing. So, we are saying now, we will negotiate with the US to follow the 123 Agreement.

We will insist that we will bide by our own policy decisions; but, of course, as you know, a policy decision like that may be revoked for supreme national interest for some time. But we will not accept as for an international agreement, namely, the treaty, the 123 Agreement, if they write down that there shall be a ban on nuclear testing. That is the reality of testing issue. That again is a major negotiating issue. That is issue No. 2 which will, Mr. Chairman, Sir, engage the attention of the hon. Foreign Minister and the hon. Prime Minister in the negotiations. The third issue of concern is no transfer of equipment for reprocessing and enrichment. Yes, you are right. The US does not permit as part of binding mandatory obligations, the transfer for equipments for reprocessing or enrichment purposes. As you know there are two cycles of the nuclear cycle, the first is, raw uranium used for nuclear reactors and the second is, reprocess it, convert to plutonium and reuse it. Now equipment transfer of that is not permitted by the US. That is the reality. The US does not permit it for any country in the world. It does not permit it even for the five original nuclear powers. So, there is no likelihood that the USA would, in the one two, three negotiation stages itself permit it for India. The point of the matter is different. We have to compare realities with realities. What do we have? In any event, today, we do not have any reprocessing equipment being exported to us. In any event, today, we are under isolation. So, this is the third issue on which, I am sure, the hon. Foreign Minister, who is sitting here, will negotiate to try, to attempt to change the US policy. But I must frankly concede and confess that since the American policy is universal on this issue, no country, not even the original five, are allowed this under any condition, no waive. It is not fair to expect India to get one, two, three waiver on this.

Sir, there are some other aspects which we tend to forget. We are a proud country and we negotiate proudly. We do so with quite confidence,

with justifiable pride and of course, with the strength of conviction and we do not look for praise from elsewhere. But the fulsome praise which has been heaped upon India in the US legislation. I am not talking of the US administration or the US President or individuals, but the fulsome praise about India is something we should be proud about. It is not that we depend on praise, but then it is a recognition that India is a world power to reckon with. As you have mentioned, the Joint Congressional Explanatory Note of 50 pages, sings poems of praise, it calls India to meet the challenges of globalization. It talks of India being the pivot for stability, security in South Asia. It talks of a global partnership because it says that India is a vibrant democracy; it has a well educated middleclass; it has a rapidly growing economy. It has pluralism, tolerance, democratic traditions and is a multi-religious and multicultural country. That is an achievement, a recognition which we richly deserve. Sir, Mohammed Baradei, the Head of the IAEA, said this some time ago again in recognition of our strength to negotiate this treaty. As you know, he is a Director-General of the IAEA. He said, "This is a creative break from the past. It would be illogical this is the Head of the IAEA saying so to deny civil nuclear technology to India, country that has never violated any legal commitment and never encouraged nuclear weapons proliferation and a valued partner and a trusted contributor to international peace and security. Sir, with this we tend to forget India's established non-proliferation policy. The learned Member, perhaps, unintentionally pooh-poohed it as our civilization abhorrence to violence and destruction. We should be proud that we have a civilization abhorrence to violence and destruction. If you see the history of foreign affairs in this country, if there has been one stand as consistent as, for example, Non-Alignment, it has been the non-proliferation theme. Whether it is Mrs. Indira Gandhi, whether it is Rajiv Gandhi in the General Assembly, whether it is some other Government or this Government, whether it is the General Assembly, right from 1946, when the UN made the basic declaration of disarmament and non-proliferation, we have repeatedly said that we are a peace loving country and it is from that it flows that we have to have the strength of nuclear power. But that strength goes with doctrines like—how were these doctrines born; they were born because of our basic outlook on life—'no first use', the use of minimum credible force as a deterrent. These are the strengths of a power which knows that it is strong but equally shares the civilizational abhorrence of violence and destruction. It is from that angle that you must also see the entire process of entering

into an agreement. Sir, let us address some of the other issues that the hon. Member has pointed out. He took up the question of reporting. He should know that the earlier version of the Act strongly called for a certification by the U.S. President. The certification by the U.S. President would be binding; it would be impossible to give it in some cases. It has changed largely to a reporting requirement, and most of the reporting requirements come under Section 104 from Page 26 onwards in that long Hyde Act. Most of it is in the informational segment, non-binding, advisory, and more than that, it is between the U.S. Congress and the President. It is not, in any manner, addressed to India. India is not obliged to disclose chapter and verse in the order and the manner in which they share even the information. So, that reporting requirement is very different from the way you have seen it and presented it. I would submit, let us not play politics with an issue as important as this. Let us rise above the narrow confines of partisanship. Iran is an example. Since I have already explained it, it comes completely in the non-binding part. Do you think that there can be any doubt about it? We have had strong links and friendship with both Iran and Iraq, even when the two were at war, even when the two had complete differences. We were not dictated considerations extraneous to our own policy. Where is the question of Indian policy on Iran being dictated to by other countries, like, the U.S.? We decide our own foreign policy. Of course, the U.S. has a Declaration of Intent which it has repeated at 20 fora, officially and openly, that they do not want any cooperation with Iran. They have said so everywhere. Does it mean that we are bound to follow it? Does it mean that we have ever followed it unless we have wanted to vote on a particular way? Therefore, these are issues which are digressive. Let us not criticise out of habit. Let us not criticise an agreement, as I said, not yet born, sealed, signed or delivered. As Tagore has said, "Let us not allow the clear stream of reason to loose its way into the dreary desert sand of dead habit." To my friends on that side of the House, I would only repeat Palmerston's famous words. "There are no eternal friends. And likewise, there are no eternal enemies. There are only eternal interests." I might add that the national interest must be eternal. Let this House and every Member of this House have implicit confidence in the patriotism of this Prime Minister. Let us all have implicit confidence in the competence and ability of our Foreign Minister. And let us, therefore, try to get the best bargain on our own terms but not by carping criticisms in advance.

THE LEADER OF OPPOSITION (SHRI JASWANT SINGH): Sir, I would like to say something, even though I never had any intention to interrupt, nor did I have any intention to participate in this discussion. And, I see that the hon. Minister for Commerce and Industry is actively interrupting here. My young colleague, a promising and an established legal personality, had chosen to use my name, and my colleague, Sushmaji had mentioned to me that the hon. Prime Minister had also chosen to make a certain reference to me in his intervention yesterday in the other House, I found it necessary to very quickly, in the shortest possible time, once and for all, correct this matter on. Firstly, a reference was made that the former Prime Minister, hon. Shri Atal Bihari Vajpayee, made certain commitments. What the Prime Minister said in his speech in the General Assembly, to the best of my recollection,— I don't have the text here— was that India, because of voluntary moratorium,—moratorium has no permanency; it was only a voluntary memoratorium— *de facto*, the principal obligation of the Test Ban Treaty has been met. And, "India will not stand in the way", if I remember correctly, "of its coming into force in a *de jure* fashion provided all the other 44 countries who were to sign also did so. That is so far as Prime Minister Vajpayee is concerned. (*Interruptions*). It would be good hon. Ministers recognized the status that they have achieved and restrained from interrupting. Secondly, Sir, reference has been made to what I said. I am disappointed, Sir, that the Prime Minister, in his reference yesterday— I ordinarily would not remark upon it but now I must: I sought out the reference from the other House and I tried to pay attention closely to what my distinguished colleague was earlier saying, he has averred that in some fashion: (a) They did not know what discussions were taking place with my US interlocutor, Mr. Strobe Talbot; and (b) whatever they have had to find out, is from his book. Now, both cannot be correct, Sir. If you had to rely on that book and, therefore, if he has found out something there may I submit, Sir, that in Government, with every round of meeting that we had, there was a Press Conference and all information was given. Secondly, Sir, the hon. Minister of External Affairs— the Prime Minister was himself the Minister of External Affairs, then earlier a very active and a very able diplomat, honourable Shri Natwar Singhji, who was also the Minister of External Affairs, before which when we were in Government some very distinguished Memebrs of Parliament who now hold Ministerial ranks like Mr. Sibal or Mr. Natwar Singh, almost on a daily basis, when we were in Government, particularly on such issues, we were being questioned and

to the best of our ability we were answering. If our worthy Prime Minister who was then the Leader of Opposition, still felt a deficiency, or a need for discussion, of course, he was entirely free to ask for it. I do not recollect when a discussion was asked and not given. One or two other things.

It was charged that we agreed to sign the CTBT. How Because the Treaty itself had been killed by the US Senate. And what could we have signed if the US Senate had killed it. Further, if we had agreed to sign the Treaty, the Comprehensive Test Ban Treaty, which was the principal purpose of the discussions that were taking place, why then did the United States of America not go in and conclude the Treaty then? If we had agreed to sign, then what was stopping them from signing it?

I will make two more submissions, Sir. The Comprehensive Test Ban Treaty effectively died when the US Senate refused its permission. First, that was a multilateral treaty in which there were clauses which permitted a country to claim national emergency, national right and walk out. What we are now doing with the United States of America is not a multilateral treaty; it is a bilateral bondage that we are entering into and once you move out of it, you cannot, thereafter, continue to have the benefit, Sir. Sir, this I submit, is the position.

I do not want to take any more time. I will say one final sentence. All documents, all papers, have been in the possession of this Government, as they would be in the possession of any Government, since the May of 2004. Please, either stop making these insinuations and charges or, if there are any documents that prove what I have said as wrong, please bring them and share them with the House. Thank you.

SHRI ABHISHEK MANU SINGHVI: I am very sorry to interrupt, Sir. Since Shri Jaswant Singhji said he does not have the papers, I Just want to read one paragraph of what Shri Vajpayee said— a document which I did not read earlier. He said in the General Assembly, "Accordingly, after concluding this limited test ban programme, India announced a voluntary moratorium on further underground nuclear test explosions. "We conveyed our willingness to move towards a *du jure* formalisation of this obligation. In announcing a moratorium, India has already accepted the basic obligation of the CTBT. In 1996, India could not have accepted the obligation as such a restraint would have eroded or capability and compromised our national security." Also, I have Mr. Jaswant Singh's statement, in virtually identical

terms. This is the statement. ....*(Interruptions)*... सीटीबीटी ऑफर किया, यही तो कहा मैंने, और क्या कहा? ...(**व्यवधान**)....

श्री दिग्विजय सिंह: मना कर रहे हैं कि मत करो और तब कह रहे हैं कि कंसैंसस् बनाएंगे, क्या कंसैंसस् बनाएंगे? ...(**व्यवधान**)....

DR. BIMAL JALAN (Nominated): Sir, before we proceed further, we need a definitive clarification ....*(Interruptions)*... Sir, in view of the importance of this debate, we need a very definitive clarification on one issue.

श्री सभापति: आज जिस समय बोलेंगे, उस वक्त कहें।

डा॰ विमल जालान: सर, एक क्लेरिफिकेशन चाहिए, जो लीगल क्लेरिफिकेशन है कि the difference between a legal, a statutory obligation and what is put as policy or sense of the House Have there been cases in the United States where the President of the United States has deviated from the sense of the House, as expressed in a legislative document in any important matter, or, to the policy, as laid down in that document even if it is not statutory? This is a very important issue, Sir ....*(Interruptions)*... Because my understanding is, I may be wrong because I am a lay person, if it is a statutory thing, you cannot deviate from it without being impeached. But the general convention in the United States is that they also do not deviate from policy or the sense of the House, by and large, unless there is a very predominant national reason. So, I would like a clarification, a legal clarification on this point. ....*(Interruptions)*...

MR. CHAIRMAN: Now, Shri Sitaram Yechury.

SHRI SITARAM YECHURY (West Bengal): Thank you, Mr. Chairman, Sir, I am very happy that we are once again discussing this issue. I would only compliment the Government for agreeing to a discussion on this issue once again, and I hope, we will have yet another discussion on this issue before the 123 Agreeement is finalised. I think this is setting a very good practice, a tradition and a precedent that we are actually debating these issues. I do not mean anything to our Leader of the Opposition now. I mean, no insinuation meant. But, it is a new practice that is happening, which it is good and we should continue with this.

Sir, last time, when we had this discussion, I had risen to express our

anguish and concern at many of the provisions that his forthcoming Bill would have. We were very happy at that point of time and satisfied at the assurances that the hon. Prime Minister had given us, saying that India will not go below the minimum denominator on various issues. and if there is anything that is done contrary to what is stated here, and I quote from hon. Prime Minister's reply, Sir, to the House, when he said, "In the final form, if the US legislation or the NSG guidelines impose extraneous conditions on India, the Government, as I stated earlier, will draw the necessary conclusions consistent with my commitments to the Parliament." At that time, Sir, the hon. Prime Minister was asking us to wait for this legislation. Now, this legislation has come, and it is ironic that it is called the Hyde Act, which has very little to hide in it. I mean, it actually reveals what the United States wishes to extract from India.

DR. MURLI MANOHAR JOSHI (Uttar Pradesh): It hides more than what it reveals.

SHRI SITARAM YECHURY: It actually reflects what the United States of America wants to extract from India. Now, the point is, it is very good that we have heard these assertions; we have heard the Congress Spokesman here, the hon. Member defending the Government's position and stating that the integrity of this Government or the Prime Minister cannot be questioned. By far, I will be the last one to question that, at all, Sir. What is being questioned is not the integrity of the Government. I believe and firmly believe that each one of us is doing our best to further our national interest. But, what we are questioning is the infallibility. Every one of us can make mistakes. We can fall into traps, with good intentions, or, wanting to fall into the traps. But as the logic of the developments will take us, maybe, unintentionally we will be bound by certain positions which are not in our national interest. That is the premise on which I begin my entire argument at this stage, because in the last debate, when I sought the hon. Prime Minister's assurance that before anything further happens that he will come back to the House, you, hon. Chairman, had intervened saying that he had already given that assurance. I hope, once again, this assurance will be given that before this 123 Agreement is signed, the hon. Prime Minister and the Government will come back to the House and take the House into confidence because that is in the best of our democratic traditions and I would appeal the Government to adopt that process before we get into the content of what is happening.

3.00 P.M.

The question is, the Hyde Act has defined the parameters by which the U.S. President will have to act. It is not our concern to go into what is abinding section and what is a non-binding section and what is a section that is mandatory; they may have all those niceties. But that is not something that binds us or binds me in India or us as the House or the Government. It is up to the Government of the USA to decide which parts are mandatory and which are not mandatory, which are obligatory; let them take their decisions. My concern is, if there are provisions within this Act which can be used against my country's sovereignty, then I am naturally concerned about it and I want the assurance that this will not be allowed. Therefore, let us not get into those technicalities of what is binding and what is not binding; let us actually talk about what is really contained in this Act.

Secondly, Sir, we are often told that we need to wait for the 123 Agreement. Surely, we will wait. We are patient and we will wait. We would wait to study what all that will contain. But, our worry is that that 123 Agreement can be achieved by the U.S. only under the parameters drawn out by the U.S. legislation. Now that legislation is not binding on us. Correct. I am not saying that that legislation is binding on us. But that legislation is binding on the President of the USA. Now, his parameters have been defined. The assurances that the Prime Minister has given, in my opinion, these parameters violate those assurances. If they violate those assurances, then what is the recourse we have in the 123 Agreement to actually turn the clock back?

I am afraid, and, that is where, I think, whatever be our subjective intentions of hoping to make the USA accept our positions, but legislatively and legally, the USA has tied itself to the parameters that are bound by the U.S. legislature which neither we nor the U.S. President can now change. Since these parameters are violative of the assurances that are given, I would like to know from the Government how are we going to get away from this situation. That is why, Sir, I feel that it is untenable on our part. I hope we can put out rabbits from the hats as the saying goes. But, from what I can read now, it is untenable right now for us to presume or to hope that the Prime Minister's assurances will be honoured by the 123 Agreement. If it is done, very good. We will all be very happy and satisfied;

but, from what is appears, I do not think, that is the position we can actually expect.

Then, another question also has come up. Yes, we will wait for the 123 Agreement, as the Prime Minister said. But, in the meanwhile, what about the negotiation that goes on? For example, the 123 Agreement need to not contain the question of annual certification by the U.S. President. But, it is present in their Act, in their legislation. It would not be there in the 123 Agreement, and, therefore, we cannot say, "since it is not there in 123 Agreement, there is no need for the President to annually certify." But he will have to do according to his Act, his laws in his country. So, this is a tenuous argument: "Since it is not there in 123 Agreement, therefore, it is no longer binding on us." But the President will have to act under their laws and; therefore, he is bound by their laws. And who will be the next President? Already the composition of Senate and the Congress has changed. What will be the situation? Therefore, it will be an illusion to think that we are somehow separated or we are distanced from that sort of requirement while the reality is not so.

So, keeping this sort of risks in minds, I would now like to, actually, briefly touch upon one point before going into the actual contents of the Hyde Act, and how I think it violates the Prime Minister's assurances. And that is concerning the entire issue of nuclear energy. This issue of nuclear energy, our learned friend, hon. colleague, Mr. Singhvi, has also referred and yesterday I listened very attentively to the Prime Minister's reply in the other House where he also mentioned the need for augmenting nuclear energy absolutely required for the country's economic march ahead. Very true! We do not dispute anything of that nature. We require to augment our energy resources if we are actually aiming at a high growth trajectory. But what is the best way to do that, that is an issue that I am afraid we have not yet settled and that is where I had asked even earlier, Sir, what is the right fuel mix that you need in your country. Which is the source from which we can augment our energy resources? Is nuclear energy the best available option in terms of costing? What are we aiming at? We are aiming for a 3000 MW generation. I mean what we have is 3310. We hope it will be doubled by 2015. Even then we are told it will be only 5 per cent of total energy production and consumption. But, Sir, what I want this House and the Hon. Prime Minister also, through you, and the Government to note is the cost benefit analysis. If you just look at it, Sir, the cost of production of nuclear energy compared to production of thermal energy from coal, the ratio is 3:2— three is for nuclear, two for coal. If it is compared

to gas, the nuclear energy production will be double the cost— nuclear would be two and gas would be one. And if it is hydroelectric, then the nuclear energy cost would be five as compared to three, a ratio of 5:3 for hydroelectric. Now, if this is the costing that we have, are we really going in for a right, judicious mix of our energy requirements through expanding nuclear energy? And this is when I say our own National Hydroelectric Corporation today has given us an estimate that there is an untapped 50,0000 MW of hydro potential in the country. 50,000 MW! And added to this, very good developments are taking place in our very close neighbouring country Nepal, Sir, and, if you look at their hydro potential, it is estimated to be 83,000 MW. So, hydroelectricity— if you combine these two, it goes up to nearly 1,23,000 MW. If you have this potential with us, it is sitting there in front of us, why are we not tapping that and rather instead going into such deals in the name of nuclear energy? So I think we must settle that question. It is not the compulsions of our energy requirement that is making us to go into the deal. If that is not the case, then comes the next question: What are the other compulsions? And there when we come down to the other compulsions and that is where I would also like to make this point once again, Sir, it has been almost, I think, more than two decades since the United States has added any new nuclear power generation in its own country. Now, why, Sir? If nuclear energy is the source that we are relying on for our future, why is this source for which we are making this deal, that country has abandoned any further production of nuclear energy? More than two decades! It is because there are problems associated with disposing of the used fuel, and the question of environmental problems. How do you take care of these issues? Because of that the United States has stopped it. And if we are pursuing that today, what is the meaning, Sir? if nuclear energy requirements are not the need, as I argued earlier, if we are pursuing this course when the United States itself has abandoned that course, then the only conclusion I can draw is that you are actually providing a market for the production of nuclear reactors and their material for the United States of America at the expense of my country, its sovereignty and a proper cost analysis of our energy requirement. Now, that is a serious matter, Sir, which I want this Government to seriously consider. Having said that, let us now come to the basic issues that the Prime Minister had raised in his August 17 reply here in this House, which I had at least— most of us— actually welcomed. There, Sir, the first two points actually relate to the strategic independence of our

nuclear programme and our independent foreign policy. Here I quote what the Prime Minister had said. He said, "I assure the Parliament that Separation Plan would not adversely affect our strategic programme. I reiterate that commitment today." Then, further, Sir, with regard to the Foreign Policy the Prime Minister stated. "We reject the linkages of any extraneous issues to the nuclear understading, India's Foreign Policy will be decided on the basis of Indian national interest alone.Very good, Sir, we had agreed to that. But if you look at Section 102, Clause 6, Hyde Act states clearly and Sub-Clause (b) says about India, "The country has a functioning and an uninterrupted democratic system of Government—please underline the next line—has a foreign policy that is congruent to that of the United States and is working with the United States on key foreign policy initiatives related to non-proliferation. That may be okay. But to be classified as a country being congruent, a foreign policy being congruent to that of the United States is something which, I think, in the same spirit of nationalism, in the same spirit of integrity that we are talking of, is something, which no nationalist Indian would be willing to accept, being defined by the United States as being congruent in terms of its foreign policy position. Then, later, Sir, in the same Section (d) it says and I am quoting, Sir, that "India would give greater political and material support to the achievement of United States global and regional non-proliferation objectives." Now, what else does this mean other than that they are expecting India to actually dovetail to the US strategic objectives globally, regionally? And this sort of a dove-tailing and expecting India to be part of that dove-tailing is essentially a constriction on the pursuit of an independent foreign policy by us. Needless to add, Sir, that independent foreign policy is an important element of the Common Minimum Programme, that is the basis for this Government to function and, therefore, if you look at Section 102 and 103, and only to save time I am not quoting from that, but if you permit, then I will. But in both these sections, in section 103, if you permit me I will just want to go through one point that "Pending implementation of multlateral moratorium described in paragraph 1 earlier or the treaty described in paragraph 2 encourage India not to increase the production of fissile material at unsafeguarded nuclear facilities." Now, what is wrong with this is,—since an hon. member asked, 'what is wrong with this?'—my entire position is that these are decisions we take, precisely. My entire problem is why should anyother country tell me what to do and that is the point. The point is not whether they are

telling you rightly or wrongly. The point is, are we today to accept what they tell as my national interest instead of my deciding so? Again, the question comes of the second issue. Much has been said earlier by Shri Arun Shourie. I don't want to repeat that. The Australia group, the NPCR, the NSG, the wossamer Agreement, I mean, all these things in Section104(b), if you go into it, all these constrictions and restrictions are there. But let me not get into the technicalities. The question is the independence of our strategic programme. And all of you are aware, Sir, and you particularly, that we as the CPM had opposed Pokhran II, we had said that India should not go into nuclear weaponisation. We are even today against nuclear stock-piling. But, Sir, I will be the last person to allow this to be done under dictates of any other country or any other power but this is a decision that we shall take sovereignly in our country and we cannot allow anybody else to dictate to us on this account. Having said this, both on these two scores, we are, therefore, apprehensive. The third issue is on the question of full civilian nuclear technology including the fuel cycle. Now technicalities apart,what the Prime Minister assured us in this House and I am just quoting, "The Central imperative in our discussions with the United States on civilian and nuclear cooperation is to ensure the complete irreversible removal of existing restrictions imposed on India through iniquitous restrictive trading regimes over the years. We seek the remoal of restrictions on all aspects of cooperation and technology transfers pertaining to civil nuclear energy ranging from nuclear fuel, nuclear reactors, to re-processing spent fuel, *i.e.* all aspects of the complete nuclear fuel cycle." But, what does Section 103(a)(5) of the Hyde Act tells us? I am not quoting the whole Section to save time. It says, "Given the special sensitivity of equipment and technologies related to the enrichment of uranium, the reprocessing of spent nuclear fuel and the production of heavy water, work with members of the NSG, individually and collectively, to further restrict..."—please underline this.. "...the transfers of such equipment and technologies, including to India." So, the full nuclear cycle which we have been promised is under question mark.

Then, Sir, Section 104 gives clear details of what can be given and what cannot be given. In essence what it means is that no Indian entity can access any of these above dual-use technologies, denying India the access to full civilian technology, including fuel cycle. This runs contrary to the assurance of the Prime Minister has given. How are we going to circumvent this? This is our point of concern.

The fourth point is, I still remember, very passionately the hon. Prime Minister stated and I applauded at that point of time when he said that this is a treaty in perpetuity and not an annual treaty. And, therefore, the annual certification by the US President is something not acceptable to us. Very true, Sir. Now, the world 'certification' has been changed to, I think, 'assessment.'

DR. MURLI MANOHAR JOSHI: It is 'determination'.

SHRI SITARAM YECHURY: Whatever it may be, Sir. With apologies to Shakespeare, like a rose smells—I mean, whatever name you call it by, say, certification, assessment, verification, it also smells as foul. That is why this is, once again, not an issue of binding or non-binding. I am only quoting the hon. Prime Mnister. We have made it clear to the United States our opposition to these provisions even if they are projected as non-binding, Mr. Singhvi, please note, even if they are projected as non-binding on India it is being contrary to the letter and spirit of the July Statement. We do not wish to diminish a permanent waiver authority into an annual one.

Now, Section 104(g) tells you exactly opposite of how they would want not only the certification but also of the information on nuclear activities of India, how they will be monitored and now I quote from it. Section 104(g)(2)(E) says, "an assessment of whether India is fully and actively participating in United States and international efforts to dissuade, isolate, etc." All of us is familiar with Iran. This sort of thing again, runs directly in contradiction to the assurance that the hon. Prime Minister has given. This is another cause of our concern.

Sir, point number 5 is that the hon. Prime Minister in Parliament said that there would be one time change in the US Laws before India accepting IAEA safeguards in perpetuity. I quote what the hon. Prime Minister has said. He said, "Before voluntarily placing our civilian faciliteis under IAEA safeguards, we will ensure that all restrictions on India have been lifted." These references have been made by Shri Arun Shourie. I am not referring to them to save time. This is, again, challenged by the Hyde Act. This is an assurance that is again been violated.

The sixth point is about India-specific IAEA additional protocol. The hon. Prime Minister had stated and quote, "In the Separation Plan, we have agreed to conclude an India-specific safeguards agreement with the

IAEA. The question of an Additional Protocol will arise only after the India-specific safeguard agreement is in place. As a country with nuclear weapons, there is no question of India agreeing to a Safeguards agreement or an Additional Protocol applicable to non-nuclear weapon States of the NPT." And then what does Section 104(b)(3), which deals with waiver authority and congressional approval, say? It says and I quote, "India and the IAEA are making substantial progress towards concluding on Additional Protocol..." I mean, they are saying that we are already in the process; what we said that we will not do till reciprocity is maintained..." ...consistent with IAEA principles, practices, and policies that would apply to India's civil nuclear programme." Again, Sir, I am quoting the term 'Additional Protocol' from Section 110(1) which deals with Definitions. It says, "the term 'Additional Protocol' means a protocol additional to a safeguards agreement with the IAEA, as negotiated between a country and the IAEA based on a Model Additional Protocol as set forth in IAEA information circular 540" which essentially and mainly deals with non-nuclear weapons States. And, therefore, again, that means 'specifically modified additional protocol' which is applied to the non-nuclear weapon States, and not as an India specific additional protocol. This, again, runs contrary to the assurance that we were given.

Then, Sir, I come to the seventh assurance on the 'fuel supply guarantee'. The Prime Minister, I am quoting, had stated graciously, here in this House, "Separation Plan includes elaborate fuel supply assurances given by the United States. An important assurance is the commitment of support for India's right to build strategic reserves of fuel over the lifetime of its nuclear reactors." Now, again, what does section 102 say? It says, "The United States should not seek to facilitate or encourage the continuation of nuclear exprots to India by any other party if such exports are terminated under the United States law." So, it is very clear. If they terminate it for political reasons, they will also make sure that nobody else gives us this. So, this runs completely contrary to the assurances on fuel supply guarantee.

Then, as we have mentioned earlier, we were also very proud, when we heard our hon. Prime Minister saying, "We wil not allow the US Inspectors to roam around our facilities." And, in fact, he said, "Therefore, there is no question of accepting other verification measuers of third country inspectors to visit our nuclear facilities, outside the frame work of the India-specific safeguards agreement." Section 104 on the Nuclear Export Accountability

Programme, I am quoting section B of that. Section A is general, section B gives you the specific measuers and they tell you clearly that they will enforce such inspections if it is in their interest. Now, this also runs contrary to the assurances given to us.

Finally, I come to the ninth assurance - it is related to the assurance that was given, and which has been referred to also - 'The Proliferation Security Initiative.' In fact, the Prime Minister had said, I am quoting, "The Proliferaton Security Initiative is an extraneous issue, as it is outside the frame work of the July 18 Joint Statement. Therefore, we cannot accept it as a condition for implementing the July Statement . Separately, the Government has e xamined the PSI." Now, section 103 Statement of Policy (b) says, "(3) Secure India's - (A) Full participation in the Proliferation Security Initiative, etc..." This has been quoted by my hon. colleagues. So, I am not going into those. But I agree that this is an area of concern. In continuation of this, section 115 - it is a new addition that has been made - is something, which is very, very disturbing. Section 115, says, "The Secretary of Energy, acting through the administrator of the Natinoal Nuclear Security Administration, shall establish a cooperative threat reduction programme to pursue jointly with scientists from India and the United States a programme to further common non-proliferation goals." You can get it from the NNSAs website. It has a Mission Statement. I am just quoting point Nos. 1 and 2 only; there are six of them. I quote, "The mission of the NNSA is: (a) To enhance United States national security through the military application of nuclear energy; (b) To maintain and enhance the safety, relilability and performance of the United Sates weapons stockpile, including the ability to design, produce, and test, in order to meet national security requirements." We have, now, been drawn into the vortex of US nuclear strategies and the US nuclear strategic positions. Now, that is something, which we think, India can least afford to get into it. Therefore, I would actually want from the hon. Prime Minister - coming back to the basic question - that let us not hair split on the definitions whether it is mandatory, non-mandatory, obligatory, or not. The question is that Common Minimum Denominator, it is not the Common Minimum Programme at this state, but the Common Minimum Denominator on the Indo-US Nuclear Deal is that the assurances that the Prime Minister had made to this House on August 17, 2006. These are the assurances, which, in my opinion, cannot be violated. They are inviolable.

If these assurances are inviolable, and if the 123 Agreement cannot ensure the inviolability of these assurances, then, we should only come to the conclusion what the hon. Prime Minister himself said on the last occasion, that we draw the necessary conclusions, which only means that this deal is not in India's interest, and, therefore, it cannot be accepted. And that is the assurance we want the Prime Minister and the Government to give this August House. It is only a request that before anything is inked on that count, we once again come back here and take the confidence of the House. With that appeal to the Government and the hon. Prime Minister, through you, I only wish that once again, the Prime Minister would be able to satisfy us by telling us that this will not happen. Thank you, Sir.

SHRI N. JOTHI (Tamil Nadu): Mr. Chairman, Sir, on behalf of the AIADMK Party I wish to participate in this debate. Sir, ever since the formation of the UPA Government, quite often, especially, for the past few weeks, this Government has been in the dock on this issue. Sir, explanations after explanations are being given, both by Members, as well as, by the Prime Minister, on the ground that they are patriotic, "we will wriggle out if problem arises. We will not go against the sovereignty

[MR. DEPUTY CHAIRMAN]

In the Chair, of this country. We will safeguard the interest of this country, please believe us." This is what they are saying repeatedly. Sir, we are not less patriotic than you. We are also patriotic like you. There is no need to speak sentimentally here. There is no need to say, 'please believe me'. Your activities and your actions should be in such a way...

SHRI V. NARAYANASAMY: Nobody is speaking sentimentally. ...(*Interruptions*)...

SHRI N. JOTHI: I will tell finally who spoke sentimentally. Sir, the Government cannot be run on mere assurances. People should believe their work. We, in Opposition, should also believe the Government. ...(*Interruptions*)... Sir, deliberately, two persons are interrupting. I can name them also.

MR. DEPUTY CHAIRMAN: Don't name them. You cannot name them. ...(*Interruptions*)... No; no. Please sit down. ...(*Interruptions*)... Mr. Narayanasamy, please listen. ...(*Interruptions*)...

SHRI V. NARAYANASAMY: One cannot speak in the air. ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: Mr. Narayanasamy, this is a very serious debate. ...(*Interruptions*)... Please sit down. ...(*Interruptions*)... Mr. Jothi, you stick to your subject. ...(*Interruptions*)...

SHRI N. JOTHI: If they want their presence to be noted by the Prime Minister...

MR. DEPUTY CHAIRMAN: Don't go into all these extraneous matters.

SHRI N. JOTHI: Sir, this Government, instead of repeatedly saying, 'please believe us' should exhibit itself in such a way that we do not debate this issue once again in future. That should be the attitude of this Government. Sir, the Bill passed by the USA is termed as the Henry J. Hyde, United States-India Peaceful Atomic Energy Cooperation Act of 2006. In short, it is called the Hyde Act. It is opposed by scientists. All over India, scientists are opposing it. Public are opposing it. Opposition parties, including parties, including the CPI, and CPI (M) are opposing it. We are opposing it. But, still the UPA Government wants to tell us, 'please believe us.' Why are we oppositing it. Sir? It is not that we are less patriotic to oppose it. We are equally, more patriotic than you to oppose it. Sir, the title of the Act passed by the American Congress seems to be very appropriate. I am reminded of a Non-Detail in my school days, called, Dr. Jekyll and Hyde by Mr. R.L. Stevenson. He is the single person with two personalities. During the daytime, he will be Dr. Jekyll. he will be helping people. a good person; a good-natured person. At night, he will be a killer. Mr. Hyde is a very good name. It is a very appropriate; name. No other name could fit into this Bill. On the one fact of it, the Bill looks very good. To whom does it look good? It looks good to the Americans. On the other face, it looks very bad, ugly and killer like. To whom does it look bad? To the Indians it looks bad. This Bill has correctly been titled as Hyde Act. It has got hidden agenda; it has many things to hide. Sir, so many things have been very explicity discussed here. Let me not repeat them. But in contents, if you look at, our sovereignty will not be bartered. We will not allow our military strategy, defence strategy, to be inroaded by them. It would be purely civilian. That is what they say. There is a shortage of uranium. We need this energy; so, we need an agreement with Americans. This is what in a nutshell they could say. In reality, Sir, what

are Americans going to do? They will give supply only for two years. It will be repeated only after two years.They will not give in bulk. Initially, they will give only for two years. They will extend it two years onwards. So it is instalment-based uranium supply, thereby, watching your activities. In response to that, what are we giong to do them? It is something like what we call in Tamil. "You bring your grain, I will bring my chaff. We will mix it. We will segregate it and eat it off." This Agreement is like that. They are bringing chaff and we are going to give them grains. We will mix them. They will, thereafter, segregate them. Then, both of us will take half-half. This is exactly what this Agreement is. Sir, we are not saying anything against the hon. Prime Minister personally. But, genuinely we feel, *bona fide* we feel, the Government is under pressure from foreign elements. They are under pressure. Please come and tell us what the pressure is. Please reveal it. You need not act under the pressure of the foreign elements. Please don't barter our sovereignty. Repeatedly, we are telling you, "take us into confidence." If the Government wants to continue for some more years, we will help you. But come up truthfuly to us. Please take us into confidence. Every time, you come and give explanation...(*Interruptions*)... This is the problem with these people...(*Interruptions*)... They don't want anything from here, but they want everything from America, foreign elements...(*Interruptions*)... "We don't want anything from Indians; we are now allowing foreign elements....(*Interruptions*)... Yes, they do not want any help from us, they want every help from foreigners—foreigners to lead them and foreigners to run the Government. Sir, this foreign element is embedded in them. Some transformation has taken place in the Congress Party. I am very sorry to say this.

Sir, scientists had met the hon. Prime Minister. With folded hands, they said to the hon. Prime Minister "Please don't proceed with this." Explanations were again offered. Explanations are being offered here on the floor of this House. Explanations are being given in media, and you are saving yourselves much day in and day out. Much energy is being spent on this deal than focussing on other developmental activities.

That is the problem with this Government. We are having problems of the workers. We are having problems of so many people and so many matters. And, the top leaders of the party are spending their energy on this Treaty, instead of concentrating on other matters. That is the reason, Sir, why we suspect the *bona fides*. There is something very strange

which is going on. Something very strange is going on. Some hidden agenda is there to barter our sovereignty. This is what we are suspecting you. There is no point in saying: "I am opening my heart. Please look into it. I am like *Hanuman*, Open and see *Rama* in it." This is not the way, Sir. Have interactions with us. Call for all-party meetings; invite all the parties in India recognised by the Election Commission of India. Have a debate with them; have clause-by-clause discussion with them. Let us debate it here and then, finally, let us have a consensus. Please, don't say that 'we would walk out of it'. At what stage will you walk out? Will you walk out after everything has been said and done? Will America allow you to walk out? We have seen what happened in Iran and Iraq; we have seen how America behaved with them. We are only saying that if it is not good, and when we are saying it is not good, please don't criticise us. Don't say 'sentimentaly'—Mr. narayanasamy said 'sentimentally; I shall come to that; I shall not remain without debating on that.

MR. DEPUTY CHAIRMAN: No no, please dont't go to Narayanasamy! Please, come to the Nuclear Bill. ...(*Interruptions*)... This discussion was meant for two-and-a-half hours; we have already exhausted two-and-a-half hours' time.

SHRI N. JOTHI: Sir, the question is whether our sovereignty and independence would continue or not. That is the question.

SHRI V. NARAYANASAMY: People have given us the mandate ...(*Interruptions*)... This is not the way to speak.

SHRI N. JOTHI: This the problem with them...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: Mr. Narayansamy, if you could keep quiet, he would finish his speech.

SHRI N. JOTHI: If the UPA Government thinks that because the people have given them the mandate and because they are running the Government they could do anything with their collars up, and do whatever they wish, we are sorry to say, that is not democracy. You must be aware of the minimum elements of democracy. This is not democracy. Democracy means, to have common discussion taking even the Opposition into confidence, especially in national and international affairs. They are having the common Minimum Programme with other parties supporting them from outside. I have heard what Yechuryji has said; I hear daily to what

Brindaji keeps saying to the media; and they are not sparing the Government!...(*Interruptions*)... Sir, they are people of intolerance. ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: Mr. Jothi, don't take note of all this. You have to speak on Nuclear Cooperation, and not on anything else.

SHRI N. JOTHI: Sir, I cannot shut...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: That way we will not be having a useful debate. Please, come to the point. You cannot go on like this; you have to come to the subject.

SHRI N. JOTHI: Sir, this is my subject!...(*Interruptions*)... Sir, Prime Minister after Prime Minister, starting from Pandit jawaharlal Nehru, to Mr. V.P. Singh, and even Mr. Narasimha Rao, have not had any kind of talks with other countries on the nuclear issue. They have said that because o depleted supply they wish to have a bilateral arrangement with the USA. What kind of a nation are you going to have an agreement with? How have they treated other nations? How have they behaved with others? have you ever thought about it? Are they being friendly with other countries? Other than being dominating, what has America done? What is America doing except policing the world?

Sir, the might of money and the might of power may lure you. But, kindly have a look at the statue of Mahatma Gandhi. You have all forgotten him. He would be twisting in his grave at the manner in which you are behaving!

SHRI B.S. GNANADESIKAN (Tamil Nadu): Sir, let us talk about the policy. Why should he attack us?

MR. DEPUTY CHAIRMAN: This is his subject!

SHRI B.S. GNANADESIKAN: Sir, what is this? ...(*Interruptions*)... he is attacking us.

MR. DEPUTY CHAIRMAN: This is his subject! Attacking is his subject!...(*Interruptions*)...

SHRI B.S. GNANADESIKAN: Sir, you have to control him. He is attacking us...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: MR. Gnanadesikan, please sit down.

SHRI N. JOTHI: Sir, sections 103, 104, 105 and 106 have all been discussed thoroughly.

MR. DEPUTY CHAIRMAN: What else remains to be done then?...(*Interruptions*)...

SHRI N. JOTHI: What we have to discuss is this vital clause 106, the grey area. Please believe me, I will not ditch this country; please believe me, I will contact you again; please believe me, and if you don't, then walk out. What is this, Sir? How long can you go on hearing this kind of thing?...(*Interruptions*)...

MR. DEPUTY CHAIMAN: Please conclude...(*Interruptions*)...

SHRI N. JOTHI: Sir, a regional party doesn't mean that they could be curtailed like this. Sir, we are entitled to speak. This type of time constraint is not for other parties; this type of time constraint is not set for anybody, why is it for me only?...(*Interruptions*)...

MR. DEPUTY CHAIMAN: Mr. Jothi, you cannot cast aspersions. It is an agreed system which we follow. If someimes the Chair is liberal, then it doesn't mean that you can cast aspersions on the Chair. There is a time constraint. The time is given and you should adhere. It is the duty of the Chair to regulate it. Don't go on saying that others are given time, but you are not. That is not correct. ...(*Interruptions*)...

SHRI N. JOTHI: I was talking about the equal opportunity....(*Interruptions*)...

MR. DEPUTY CHAIRMAN: Equal opportunity doesn't mean that you will go on saying everything....(*Interruptions*)...

SHRI N. JOTHI: Sir, regarding the constraints on the part of the whole issue, even now the doubts are being expressed as to how long the inspection will take place, how far we will go, whether indigenous matters will again be looked into by them or we can go ahead with our indigenous programme. These are the areas yet to be clarified. I appeal to the Prime Minister and the ruling Party to debate here every clause of the Agreement. Please table it here. Debate on every clause threadbare, and in both the Houses. Apart from House discussion, discuss it in all-party meeting all over India because it is a very important treaty. Please have it. Another thing is that, our leader in a statement pointed out an important lacuna,

namely, like America, we don't have a system to discuss the treaties and agreements on the floor of the House. This is the problem in our Constitution. We must discuss on that. We must discuss this agreement....(*Interruptions*)...

SHRIMATI S.G. INDIRA (Tamil Nadu): How can he...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: He doesn't need your assistance. ...(*Interruptions*)... Please go on. ...(*Interruptions*)...

SHRI N. JOTHI: Sir, kindly assist me, Sir, if I refer to them again. ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: Please don't refer.

SHRI N. JOTHI: I have to. Sir, what is the purpose of the Opposition? There is a saying in Thirukkural also. It says, "A king should often be told by others, especially the opponents how the king should rule the country, then only the king can rule well," Unless we tell them, what they should do, they may not be knowing because they are kneeling and persuading with folded hands before America. Please stop that. (*Time-bell*).

MR. DEPUTY CHAIRMAN: Please conclude.

SHRI N. JOTHI: Just two minutes. Sir, regarding sentiments, last occasion, with choked voice, the hon. Prime Minister has said that he is a son of a freedom fighter. I respect that. he said, he would be more patriotic than anyone else. I respect that. Hon. Prime Minister, Sir, your sentiments alone are not sufficient in this matter. We need statemanship in this matter. Your sentiments alone will not serve, statemenship will alone serve. Thank you.

DR. P.C. ALEXANDER (Maharashtra): Thank you, Sir. In the morning session, Members of the House had the privilege of listening to one of the most masterly speeches ever heard in this House on the Indo-US nuclear deal from Arun Shourie. I may well add, we are not likely to hear another such speech in this House on this subject. He has placed all the issues before the House for its consideration after conducting very intensive research into all the relevant documents. In fact, many things I wanted to say, fortunately, had been covered more efficiently by my younger colleague on that side of the House, and, therefore, I am not going to deal with them at length. I will come straightway to the present position that we find

ourselves in and how w can get out of it with grace. I have a feeling, Sir, that a needless controversy has been created on this nuclear deal by a series of mistakes or mishandlings. In the first place, the Government should have tried for a consensus on this issue among all the members of the House irrespective of parties. The tradition in our country in the post-independence period has always been in favour of having a consensus on foreign policy issues or on issues dealing with our relations with foreign countries on economic, scientific or nuclear-type of cooperation or any other type of cooperation. But, unfortunately, I find that this opportunity was missed. I can say, Sir, from personal knowledge, and I am sure my old friend, Dr. Manmohan Singh, would also endorse this thing, when Prime Minister Indira Gandhi was dealing with some of the most delicate issues of concern to the nation, she used to meet the Members of the Opposition party very often, one-by-one, and have heartly discussion with them and try her best to evolve a sort of understanding among all the parties in the Opposition. Unfortunately, this has not been done for a variety of reasons and that is one of the reasons for the state of confusion that prevails among the Members while dealing with the subject. The second confusion arose because the delegation led by our Prime Minister, visited Washington for three to four days. The United States Government presents a draft of a joint statement to him. In the normal course, he should have been advised by his colleagues and experts accompanying him to take that document and tell his counterpart, the President of the United States, "Yes, we have seen the Draft. I would like to have some time to examine it and I will come back to you. But, in principle, I agree with what you say". But, unfortunately, instead of following that step, which should have been the right step to do, we went in to the stage of issuing a Joint Statement covering this particular issue of nuclear cooperation. At that time, the delegation was not prepared to handle this issue. If it had been prepared to handle this issue, or, it knew that it had to handle this issue in advance, it would have included experts on nuclear science and not merely bureaucrats or diplomats. Dr. Kakodkar, one of the Eminent authorities on nuclear science now living and now in service was asked to hurry from Vietnam to Washington and express his views on the draft. He was not obviously getting the time required for a careful study of the Draft Report. Still, he gave his views for whatever they were considered necessary at that stage. Therefore, I have a feeling that Government did not have the benefit of the advice of the scientific community, the nuclear scientific community, in the country to

the extent that we should have had on an issue like this. One thing I would like to place before the House through you, Sir, is that some of these people who are now issuing strong statements in the Press against the 'Nuclear Deal' are some of the best brains in the country, in the post-Independence period. They are the *shisyas* or the disciples of the great visionary Dr. Homi Bhabha. he picked up these people one by one, trained them, and motivated them. Dr. Homi Sethna, Dr. P.K. Iyengar, Dr. Srinivasan, Dr. Kakodkar, Dr. Chidambaram, late Dr. Ramanna, and late Dr. Satish Dhawan, former Chairman of the Space Research Organisation. These were all the people who were trained by him. They were highly respected and kept with great support and patronage by the Prime Ministers of this country in the past. Unfortunately, when this incident happened, that is the U.S. presenting us with the draft affairs, the Joint Statement, the delegation did not decide to ask for time to react to the statement, come back to India, consult them very intensely, get their views, consult others, consult people in the opposition parties, and then formulate their stand on this. Very sadly, this aspect has been neglected.

The third reason for the confusion is, if I may venture to say that, that a hype has been created by one section of the media—who went along with the Prime Minister to Washington. They started writing the very next day as if something very, very phenomenal for the development of the energy strength of the country has been achieved in three days' talk, and that the Prime Minister has returned to India with the key for delivering India from the nuclear winter with the solution for whatever nuclear apartheid the country would have suffered for so many years in the past. This hype that was created, in the country, on the issue created great expectations, much greater expectations than there should have been. And, therefore, when the discussions came, people were hoping that there would be readymade solutions for all the problems which we were facing in the area of civilian nuclear energy development. But when the nitty-gritty details of the experiment came to light, people started getting worried. "This is not what we were thinking about or this is not what we were told about." The only thing that kept the people's expectations steady about the Deal was the repeated assurance of Prime Minister Manmohan Singh. I give full credit to the sagacity and courage shown by the Prime Minister. The three statements he made before he House were excellent statements to create that strength of mind among the people that nothing wrong will happen; I

have taken this step with adequate precautions, and if these precautions are not found practicable, I am not going to sign this agreement. This assurance was conveyed on three occasions before this House. Many people, including me, were happy that the Prime Minister has drawn the line, and he will not go beyond that line. But, today, what has happened is that the Prime Minister has been let down by the American Congress. And I will say that even the President of the United States has been let down by the American Congress. The U.S. Congress looks at the problem that we face from a different angle. Their problem is or their attempt is to ensure that we do not go ahead in the line of Nuclear Weapon State and not reach that stage which they may ultimately have to recognise. While we were concerned more with cooperation from the United States to see that our civilian nuclear strength advances further, there was a gross conflict in the perceptions of people in India or the authorities in India and the United States' Congress. That is why, even the joint statement which was fairly acceptable to the House, in general, I should say, got into distortions and dilutions when it went to the stage of House of Representatives for the drafting of the legislation. It got further distorted when it went to the stage of Senate and I should say, it got more distorted when it finally reached the stage of the joint conference for the reconciliation. I have before me the report of the final conference dated 7th December and when I read this report, I felt extremely unhappy because this codument contains something quite different from what was expected of the joint statement and it negates all the promises which the Prime Minister, Dr. Manmohan Singh, had made to this House, through the three statements which he made. This is the situation that we are facing today.

My suggestion to the hon. Prime Minister would be to come out boldly with the stand that "I have tried to get this for my country. I laboured hard and I got the cooperation of the President of the United States also on certain matters. I have always told my Parliament and my people back that if U.S. stands by the commitments it had made in the joint statement along with me, I will take my nation along with me and get it done. Now, I find that you have not satisfied the promises or commitments that were expected of you. Therefore, I am sorry, I can't go beyond this." If he can take that stand boldly, I think, it will be a good way out of a bad situation.

There are many things which need correction some of which were covered by previous speakers, the speakers who spoke before me. I will

not go into them, but three points in this document really worry me and cannot but take two or three minutes more to say this with great emphasis. It has been argued, I think, by my friend, Dr. Singhvi. He is not here. I was listening to his speech on television. It has been argued that there is always a way out because whatever may be the language of this, there can be a way out of the situation by further negotiations for the 123 Agreement. But the language of this law is so very clear. Section 104 (a) very clearly says, it starts with the sentence, "If the President makes the determination decscribed in subsection (b)..." The President may then follow what can happen. The most important thing is that if only the President makes a determination, all these things will happen. As was explained by Shri Arun Shourie this morning, to make the President make such a determination , we will have to make many sacrifices which will violate the spirit of the joint statement. The President himself may not like it, but they have seen to it that the President will have to follow the line which the Congress has laid down. It is not easy to get out of that difficulty.

Sir, this is the basic difference between the Presidential system of governance with Separation of Powers and the Parliamentary system of governance which we follow. Under our Parliamentary system, if our Prime Minister commits the nation to a treaty or to an agreement with a foreign country or to an international treaty, it is binding on the people morally and legally. He does not have to have the opinion or the support of the Parliament or the endorsement by the Parliament or the votes of the Parliament. The opposite is the case with the Presidential system where separation of powers is the most important guiding factor. The Congress is very jealous of its powers and the Committees of the Congress are not like our Parliamentary standing Committee or the such Committee which examine witnesses and pass recommendations, but ultimately somebody in the Ministry will decide as to what should be presented to the Parliament in the form of a Bill that will be passed. In the United States, these things don't happen. yesterday, I was very disappointed that the recommendations of the Parliamentary Standing Committee on the reservation for OBCs and the creamy layer which had been arrived at after meeting dozens of witnesses, had been just ignored. And instead, it has been presented to the House with their own decision, without being backed up by that. They are not like that. These committees are

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very important. I am speaking with some knowledge of these facts, Sir, and therefore, you take if from me, and I appeal to you, and through you to the House, that we should not compare our country with the United States of America. We have to take this thing very seriously. The Congress will not let the President depart much from what has been already decided by the Congress itself. So, I have my fears on these three particular issues. What will happen to the enormous expenditure that we may have to incur? Reactors will cost about 2 billion per piece, and we spend so many billions, and we bring the reactors, and suddenly, they find the reason not to give us the nuclear fuel. What will happen? All the assurance of the Prime Minister was that their law will take care of such situations or the agreement will take care of that situation. But this document just speaks of the opposite. Similarly, under the various obligations, the foreign policy of the country with our neighbouring country like Iran, will have to be incongruous with that of the Americans. Their interest are different. They are staking the geo-political situation. Their stakes are different from our stakes. Therefore, we have to take a firm stand on these matters. My suggestion to the Prime Minister is that we should make it clear to the U.S. that we will stand by you. We stood by you when you presented the case; we believed you firmly when you made those three statements, and we will back you fully if you tell the Americans, 'well, if you agree with these points, which I hold important for my country, I go in for 123 agreements; if you do not, I am not going to ask my Parliament and my nation to accept. That is the way of getting out of it. Thank you.

SHRI M.V. MYSURA REDDY (Andhra Pradesh): Thank you, Sir. Yesterday, President George Bush has signed the Hyde Act. It may be a cause of distress to somebody. All stages are over except negotiations on 123 agreements. But the Act has so many deterrent clauses. All these things were clearly discussed by our senior colleagues like Shri Arun Shourie and Shri Sitaram Yechury. So, there is no need of repeating all these things. Sir, I am associating myself with them and with their concern. But, at this stage, the Prime Minister yesterday made a statement. "The US for its part has assured us that the legislation, as passed by the US Congress, will enable to fulfill all its commitments, vis-a-vis, the July 18th Joint Statement and March 2nd Separation Plans."

Sir, knowing this that the US President is not having a sweeping power

to overcome this legislation, the US Administration has presented its legilsation by a different route which lays more stress on the role for the President to negotiate with India. I will quote the Joint Explanatory Statement of the Conference Committee. "Both the Houses International Relations Committee and the Senate Foreign Relations Committee rejected this approach believing that the administrative proposal did not provide for an appropriate Congressional oversight over that by any measure, an unprecedented nulcear cooperative relationship with India.. "Both the Committees were troubled by lack of consultation with the Congress before July 18, 2005 Joint Statement and March, 2, 2006 statement of Indo-US declaration". This is from Congress Committee 's Report, on page H8942, para 7.

There is one more thing. If the US administration is capable of going beyond the Hyde Act, I want to bring to your notice as to why Condoleezza Rice persuaded Senator Richard Lugar to change the gravity or modifications of the contentious which we raised in this august House regarding sequencing, termination clause and fallback safeguards.

I would like to state that the deterrent conditions were know to India beforehand also. I am substantiating my statement by quoting a portion of the testimony of Mr. John Rood, Assistant Secretary of State for International Security and Non-proliferation, before the US Senate Foreign Relations Committee. I quote from his transcript. It was made on 2nd August, Richard Lugar queried:

"Did New Delhi not understand United States policy, which you have enunciated again this morning? If they did understand the policy, please give us your opinion on why they opposed placing the prohibition into law, but can accept the existence of the policy".

To this Mr. Rood replied:

"The Indian Government had been clearly told beforehand that the US will not supply these technologies, the administration preferred this ban to remain in place at the policy rather than statutory level. Incorporation that ban in the enabling legislation, according to Mr. Rood, 'singles India out.'

We look forward to civil nuclear cooperation with India, but we have told the Indian Government we don't envision that cooperation involving enrichment and reprocessing technologies or the technology for he production of heavy water.

We would refer to maintain this practice as a matter of policy as opposed to a matter of law".

This is Mr. Rood's statement. It means that the Government had misled the House, knowingly or unknowingly. But I wouldn't say deliberately. If it is known to India beforehand, the Parliament might have been taken ino confidence by the Prime Minsiter. But after the Act was passed some representatives of Democrats and Republicans might have hailed this Act. The Under Secretary, Mr. Nicholas Burns, might have given hyperbolic statement that is a historical act, as a liberation act for India. The US President has also given topmost importance to signing this Act. All these things give a small relief to the negotiators to have some changes in the nomenclature or to have some tinkering mechanism, and nothing more than that. Nothing is left. Only a little bit is left. No room is left for these people for negotiations. All these are done. This entire episode reminds me of a small story which I read during my childhood. It is like a jackal inviting a crane and serving him delicious *payasam* or kheer, whatever it be, in a silver plate. But the crane could not eat it. All these things appear to be like that. My friend mentioned Section 102 of the Conference Report, the Sense of the Congress. I would like to bring to your notice the Sense of the Congress. Section 102 says, "The country has demonstrated responsible behaviour with respect to the non-proliferation of technology related to nuclear weapons and the means to deliver them. The country has a functioning and uninterrupted democractic system of Government, has a foreign policy that is congruent to that of the United States, and is working with the United States on key foreign policy initiatives related to non-proliferation. Such cooperation induces the country to promulgate and implement substantially improved protections against the proliferation of technology related to nuclear weapons and the means to deliver them and to refrian from actions that would further the development of its nuclear weapons programme . Such cooperation will induce the country to give greater political and material support to the achievement of the United States global and regional non-proliferation objectives, especially with respect to dissuading, isolating, and if necessary, sanctioning and containing States that sponsor terrorism and terrorist groups that are seeking to acquire a nuclear weapons capability or other weapons of mass destruction capability and the means to deliver such weapons." This is good conduct certificate given under Section 102 of the Conference Report.

Our Prime Minister and the President have in a joint statement assured the international community, "Filing a declaration regarding its civilians facilities with the International Atomic Energy Agency, IAEA; taking a decision to place voluntarily its civilian nuclear facilities under IAEA safeguards; signing and adhering to an Additional Protocol with respect to civilian nuclear facilities; continuing Indian's unilateral moratorium on nuclear testing; working with the United States for the conclusion of multilateral Fissible Material Cut off Treaty; refraining from transfer of enrichment and reprocessing technologies to States that do not have them and supporting international efforts to limit their spread and ensuring that the necessary steps have been taken to secure nuclear materials and technology through comprehensive export control legislation and through harmonization and adherence to Missile Technology Control Regime, MTCR and Nuclear Supplies Group, NSG guidelines." This is a joint statement of the Prime Minister and the President. But after these assurances also, the non-proliferation lobby passed a deterrent Act with overwhelming majority. They are preaching sermons on non-proliferation. This is like नौ सौ चूहे खाकर बिल्ली हज को चली -पवित्र होने के लिए। It is like that.

Sir, I want to bring to the notice of the Prime Minister and his advisors that during 1965, under peace for atoms programme, we had an accord on Tarapore. It was a bilateral agreement. They have gone back on this agreement. They have still not taken the irradiated fuel even today. After this betrayal of the Americans, our scientists developed technology and material. Just before loading the material to his plant, France came and supplied the enriched material with tacit understanding and approval of American. This is the situation. Sometimes, they go back, whenever, they feel like doing so. It will be arm-twisting for us also. They have to keep this in mind when they are entering into an agreement with the Armericans and the U.S. Government. Sir, I can understand, and I can support the Prime Minister's intention that he wants to have a growth in the energy sector matching with the growth of our economy. But, in this connection, I would like to bring to the notice of this august House that our scientists, with one voice, are saying that we can develop thorium within our country that we are having 25 per cent of the world's deposits in India. So we are having the technology. We are developing a Fast Breeder Reactor at Kalpakkam with a capacity of 500 MW. It is in an

advanced stage. And, these technologies and deposits are matters of envy to our developed countries. But if India is successful in mastering the FDR technology for commercialisation, then, we will be placed better than Saudi Arabia and Kuwait economically; I am not talking about nuclear capabilities. I request the hon. Prime Minister to provide sufficient funds for research and for getting quicker results in the development of thorium for the energy sector.

Sir, if we look at the date of the Nuclear Power Corporation of India and also the Mid-term Appraisal of the Planning Commission, our reactors are working below capacity for the last three years. But as far as the estimates of the Power Corporation are concerned, we are having 95,000 tonnes of Uranium deposits available in India. But they are unable to mine them because of paucity of funds and several other constraints. In fact, our Prime Minister, when he was the Finance Minister in the then Government, should have released more funds to the DAE for this mining project. If this had been done, the Department of Atomic Energy could have developed more mines to meet the growing necessities of our power energy. During that time, the release of funds was quite meagre that we were unable to even open the mines. Now, at least, I would urge upon the hon. Prime Minister to release more funds for mining these Uranium deposits so that the DAE would be able to supply the materials for the reactors.

I would like to bring one more point to the notice of this august House. There is a proverb in Telugu which is appropriate to the present situation. "A man does not have a wife or a son. But he says, his son's name is Somalingam." I will read out one or two statements of the Prime Minister. "I have calculated that we need at least 150 billion worth of investment in the next seven or eight years if we have to modernise our infrastrusture. We have to realise our ambition of moving at a growth rate of eight to ten per cent. Our domestic savings rate is respectable. But we need international help, and the United States can help us. Therefore, when I discussed this idea first with President Bush, when I met him in Moscow, he said that the American Government was no longer in the aid business. But whatever they could do to encourage U.S. business to take greater interest in India, they would work with us." He said, I will put five of my best friends who are in the world business to work with five of your top businessmen and let

them jointly explore as to how our two countries work better to realise your vision of a more dynamic infrastructure. This is the statement made on August 4, 2005 in Rajya Sabha. Neither the Prime Minister nor the Government ever said that this was meant for nuclear energy. They said that this was for infrastructure development. Who were the scientists on the American side, who were the businessmen on the American side, who were the businessmen on the Indian side, who created and developed this idea of nuclear energy? Let this august House know who these persons are. This idea of nuclear energy has come. Why I am asking this thing is, before going and meeting the President in Moscow, they did not have the idea of producing more energy. He wanted only to develop the infrastructure. Later only, they developed the idea of producing more atomic energy. That is why I am asking who is this group, what are their deliberations, how this idea of nuclear energy came. Day in and day out, they have been saying that it is for nuclear energy; nuclear energy is the best energy; to cater to our needs, nuclear energy is the only resource. That is what the Government has been saying. Now, we have doubts. Mr. Ahluwalia- not this Ahluwalia, but Mr. Montek Singh Ahluwalia-- made a statement at a Press Conference in New York, after the Joint Statement, and before the Act was passed in the Senate; They are going to say that India has unduly accepted too many restraints. But my feeling is that if the administration is able to take it through Congress, which obviously we hope it will, and I know that that is not something we can predict, I don't see that there will be difficulty on our side in implementing what we have agreed to. There will be political criticism but I think the Government can handle that."

Sir, before the Act was passed, Nicholas Burns also gave a statement that we will be making an agreement; that means, very responsible persons were saying even this before the 123 Agreement that somehow they will conclude the agreement. Then, there have been some press writings that some business firms like Tata Power, Reliance Energy and Sterlite are making efforts to make nuclear power stations and in America also, GE Energy, Alstom, Skoda and TurboAtom are trying local players for a technical tie-up for high-end nuclear equipment. These have been appearing before the Agreement. It is a big investment that is there in the nuclear sector. Some lobbies in India and in the US have hidden agendas. In reality, the Deal is certainly not for enhancing the nation's energy security. But it is for ensuring the financial security of certain Indian and US energy

companies and their powerful middlemen in India and in USA. Sir, I request the hon. Prime Minister and this Government not to mortgage this country's interests to the business lobbies. With these words, I conclude, Sir.

MR. DEPUTY CHAIRMAN: Now, Shri Digvijay singh. ...(*Interruptions*)... His was the maiden speech, that is why I did not interrupt. But, don't think that I will not do it for others. ...(*Interruptions*)... I know, everybody will say that he is making his maiden speech. I know which is maiden and which is not maiden. ...(*Interruptions*)...

श्री दिग्विजय सिंह: उपसभापति महोदय, इस विषय पर आज मुझे चौथी बार बोलने के लिए खड़ा होना पड़ा है। हर बार जब मैंने अपनी बातों को इस सदन में रखने का प्रयास किया, तो हर बार प्रधानमंत्री जी का एक ही उत्तर था कि-''हम पर विश्वास करो, हम आपको धोखे में नहीं रखेंगे'' और यह विश्वास सिर्फ हमें ही नहीं दिलाया, इस सदन को दिलाया गया और इस सदन के माध्यम से पूरे देश को दिलाया गया, लेकिन जितनी बार प्रधानमंत्री जी द्वारा इस सदन को विश्वास दिलाया गया, उतनी ही बार देश का धोखा भी बढ़ता चला गया। हमें खुद अपने आप पर कभी-कभी ताज्जुब और आश्चर्य होता है कि जिस प्रधानमंत्री को हमने सारी ताकत और शक्ति दे रखी है, इस सदन में बैठे हुए लोगों में से काफी लोग मंत्री रह चुके हैं, बहुत सारे लोग मंत्री हैं, भारत के उपराष्ट्रपति, इस सदन के सभापति हैं, लेकिन हम में से किसी को पता नहीं कि हमारा न्यूक्लियर ठिकाना कहां रहता है, यह सिर्फ भारत के प्रधानमंत्री को मालूम है। देश के 100 करोड़ लोगों के विश्वास को समर्पित करके भारत के प्रधानमंत्री को यह अधिकार दिया गया है कि यह सारी जानकारी केवल उन्हीं को रहे। आज जब यह सारी जानकारी भारत के प्रधानमंत्री को है और देश ने सारा विश्वास उस पद पर निहित किया है, तब प्रधानमंत्री की बातों में अगर लोगों को शक हो, तो यह देश के लिए शुभ का संकेत नहीं है। यह शक क्यों पैदा होता है? यह शक हम पैदा नहीं कर रहे हैं एक तरफ प्रधानमंत्री का इस सदन में बयान-चाहे वह जुलाई का बयान हो, चाहे वह अगस्त का बयान हो और दूसरी तरफ United States of Americ में जो हो रहा है, वहां के लोग जो बोल रहे हैं और जो बात वहां कांग्रेस से पास की गई है और जिसके चलते आज फिर यहां पर चर्चा हो रही है, इसके कारण शक पैदा होता है। पहली ही बार इस सदन में हमने कहा था कि प्रधानमंत्री जी, जिस देश और जिस राष्ट्रपति पर आप विश्वास कर रहे हो, उस राष्ट्रपति और देश ने सिर्फ भारत को नहीं, आज से दो-तीन साल पहले संयुक्त राष्ट्र संघ के महाअधिवेशन को भी धोखा दिया है।

उपसभापति महोदय, क्या यह बात सच नहीं है कि अमरीका का राष्ट्रपति, अमरीका का विदेश मंत्री, संयुक्त राष्ट्र संघ की महासभा को कहता है कि भले ही रिपोर्ट में क्या आया, हम नहीं जानते, लेकिन हमारे पास पक्का सबूत है कि इराक के पास weapon of mass destruction है। क्या

यह नहीं कहा गया था? क्या यह बात अमरीका के राष्ट्रपति ने सारी दुनिया को और दुनिया की सबसे बड़ी संस्था संयुक्त राष्ट्र संघ की जो महासभा है, उसको नहीं कही थी? छह महीने-साल भर के अंदर यह साबित हो गया कि अमरीका के राष्ट्रपति ने संयुक्त राष्ट्र संघ की महासभा को झूठी बातों का भरोसा और विश्वास दिलाया था, वहां के विदेश मंत्री ने झूठी बातों का भरोसा और विश्वास दिलाया था। इसलिए हमको डर लगता है, हमको शक होता है, हमारा विश्वास डिगता है जब भारत के प्रधानमंत्री कहते हैं कि आप हम पर यकीन करें। हम आपकी देशभक्ति पर कोई प्रश्नचिह्न नहीं लगाते। इस सदन में जो बैठा है या इस मुल्क की सेवा में जो लोग खड़े हैं, हम उनकी देशभक्ति पर प्रश्नचिह्न नहीं लगाते या भारत की राष्ट्रीय एकता और स्वाभिमान के प्रति उनकी आस्था पर प्रश्नचिह्न नहीं लगाते, लेकिन हमें डर लगता है और यह डर अचानक हमारे मन में नहीं आ गया है। यह डर हमारे पुरखों ने हमारे मन में पैदा किया है और वे यह डर पैदा करके इस देश से गए हैं। पंडित जवाहर लाल नेहरू को गाली दी जा सकती है, लेकिन पंडित जवाहर लाल नेहरू ने इस देश के निर्माण में जिस भूमिका का निर्वाह किया है, उसको नज़रअंदाज नहीं किया जा सकता है और यह बात उन लोगों ने हमें बताई है। 1927 में भारत की तरफ से पंडित जवाहर लाल नेहरू का दिया हुआ भाषण "League against Imperialism", Brussels में यह बात कहता था कि साम्राज्यवादी शक्तियां कभी भी भारत जैसे देश को बढ़ते और ताकतवर शक्ति के रूप में नहीं देख पाएंगी। यह आज की बात नहीं है। तब तो हम आज़ाद भी नहीं हुए थे। डा॰ कर्ण सिंह जी उनके बारे में बहुत जानते हैं, मैं उनसे पूछना चाहूंगा कि क्या उन्होंने 1949 में संयुक्त राष्ट्र संघ की महासभा में जाकर यह भाषण नहीं दिया था कि हम जानते हैं कि कौन हमारा दोस्त है और कौन हमारा दुश्मन है? अमेरिका जैसे देश के लोगों यही कहा था कि आप चाहते हैं कि हम अभी भी आपके ऊपर अवलम्बित रहें। हम आपके ऊपर आश्रित नहीं रहेंगे। हमने देश के हजारों लोगों की जान को इसलिए दांव पर लगाया, क्योंकि हमने देश को वादा किया था कि हम एक स्वावलम्बी देश रहेंगे। हम किसी के भरोसे अपने देश को खड़ा नहीं करेंगे, हम अपने पैरों पर खड़ा होंगे और देश को एक मजबूत ताकत और शक्ति के रूप में दुनिया में स्थापित करेंगे। हमें इसीलिए डर लगता है कि ये बातें हमें उन लोगों ने बतायी थीं, हमें उन लोगों ने सिखाई थीं। इसीलिए हमें डर लगता है। आज से 15-16 साल पहले ही तो हमने देखा था कि उन्हीं लोगों ने बड़ी वाहवाही मचाई थी, जो आज हमारे और अमेरिका के सम्बन्ध को लेकर वाहवाही मचा रहे हैं। उपसभापति महोदय, एक ताकतवर संघ, सोवियत संघ टूट गया, हम लोगों की आंखों के सामने। उनकी भी यही वाहवाही हो रही थी कि गोर्बाचोव बड़ा अच्छा काम कर रहे हैं। गोर्बाचोव कहां है, किस नक्शे पर हैं, हम नहीं जानते हैं। मनमोहन सिंह जी, हम आपसे आग्रह करना चाहते हैं, हम आपको कोई शक की निगाह से नहीं, देश के प्रधान मंत्री की हैसियत से, आखिर हमारी चिन्ता क्यों है? हमारी चिन्ता हुई कि आपने 17 अगस्त को इसी सदन में कहा था और उससे अलग होकर हमारे सामने आज तीन बातें हैं, जब हम साढ़े तीन पन्ने का हाइड के द्वारा प्रस्तुत किया हुआ यह दस्तावेज देखते हैं, जब हम उस दस्तावेज

को देखते हैं, तो हमारे मन में शंका होती है कि आपकी बातों को अमेरिका इज्जत की निगाह से नहीं देख रहा है।

[उपसभाध्यक्ष (प्रो॰ पी॰जे॰ कुरियन) पीठासीन हुए]

आपको बातों को अमेरिका मानने को तैयार नहीं है। तीन बातें तो स्पष्ट रूप से कही गई हैं, तो आपने सदन में हम लोगों को कहा था कि हम किसी भी कीमत पर इस पर यकीन नहीं कर सकते, हम कभी भी इस पर समझौता नहीं कर सकते, उन तीन बातों को हम स्पष्ट रून से उस दस्तावेज में देख रहे हैं, जिसमें ईरान भी शामिल है। प्रणव मुखर्जी जी, आप तो इस देश के विदेश मंत्री रहे हैं ...(**व्यवधान**)... हैं, रहे हैं, हैं तो अलग है, आप रहे हैं और आपकी सरकार में जब आप इस देश के विदेश मंत्री थे, तो क्या आपने नरसिंह राव जी की सरकार में एक नई नीति नहीं बनाई थी कि हम, चीन और ईरान मिल कर दुनिया में एक संयुक्त ताकत के रूप में उभरेंगे। दिनेश सिंह जी उस समय तत्कालीन विदेश मंत्री थे, बीमारी की हालत में उनको तेहरान भेजा गया था। हमारे लिए उस समय यह इतनी महत्वपूर्ण ताकत और शक्ति थी। कांग्रेस के लोग यहां बैठे हुए हैं, मैं एक घटना का आज यहां ज़िक्र करना चाहूंगा। 1991 में हम लोगा तेहरान गए थे और तेहरान में चार निर्गुट विदेश मंत्रियों का एक सम्मेलन हुआ- क्यूबा, भारत, युगोस्लाविया और ईरान। इराक की लड़ाई हो रही थी, खाड़ी युद्ध की लड़ाई हो रही थी। उपसभाध्यक्ष महोदय, कांग्रेस पार्टी से ईरान देश का इतना गहरा सम्बन्ध था कि चार विदेश मंत्री बुलाए गए थे और कांग्रेस पार्टी के तत्कालीन अध्यक्ष राजीव गांधी जी मौजूद थे, उनको भी बुलाया गया था। सोनिया गांधी जी, जो आज यूपीए की चेयरमैन हैं,वे भी उनके साथ थीं। नटवर सिंह जी का चेहरा यहां नहीं दिख रहा है, रोमेश भंडारी जी, मणि शंकर अय्यर जी, ये सब उनकी delegation में थे। मैं उन लोगों को यहां पर नहीं देख रहा हूं। कांग्रेस पार्टी का ईरान से यह सम्बन्ध था। हाइड साहब द्वारा जो दस्तावेज तैयार करके दिया गया है, उसमें क्या कहा गया है? ...(**समय की घंटी**)...

The VICE-CHAIRMAN (PROF. P.J. KURIEN): Digvijay Singhji, you have only two more minutes.

श्री दिग्विजय सिंह: सर, पहले ही कहा गया था कि बोलिए, अगर नहीं बोलने देना है, तो हम बैठ जाते हैं ...(**व्यवधान**)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): I will explain the position. There are eleven more speakers. (*Interruptions*) I have no objection but I am only sharing the position with the House. There are eleven more speakers and I have been instructed that the discussion should be complete by 6 p.m. and then there would be a reply. It is for the House to decide. If the House decides, he can continue. Please conclude within five minutes. (*Interruptions*)

श्री दिग्विजय सिंह: उपसभाध्यक्ष महोदय, मैं तो कांग्रेस के लोगों से अपील कर रहा था।

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please conclude within two-three minutes.

श्री दिग्विजय सिंह: सर, तब हम नहीं बोलेंगे। विदेश मंत्रालय के ऊपर हम यहां खानापूर्ति करने नहीं आए।

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please conclude within five minutes. आप पांच मिनट में समाप्त कीजिए।

श्री दिग्विजय सिंह: उपसभाध्यक्ष महोदय, मैं तो कांग्रेस के लोगों को उनके इतिहास के पन्नों को उन्हीं को याद दिला रहा था, क्योंकि यह विदेश नीति कोई हमारी चीज नहीं है। आप जिनके बारे में इतना कहते हैं, सिंधवी साहब, यह बड़ी खुशी की बात है, आपको हमेशा किताब के पन्नों में शक पैदा होता है कि जसवन्त सिंह जी ने क्या कर दिया था। अरे भाई, जसवन्त सिंह जी ने जो किया था, वह आज भी कह रहे हैं कि हम ने किया था या नहीं किया था, यह तो आप अपने दिमाग से पैदा कर रहे हो। लेकिन आज मैं कह रहा हूं कि आम सहमति बनाओ कि इस तरह के करारनामे पर दस्तखत मत करो। प्रधान मंत्री बार-बार कहते हैं कि आम सहमति होगी, लेकिन कैसी सहमति, यह हम जानना चाहते हैं? महोदय, सी॰पी॰एम॰ के लोग इन की सरकार के समर्थन में हैं, वे कह रहे हैं कि यह मत करो, विपक्ष के लोग कह रहे हैं और कांग्रेस के लोग भी हम से चुपचाप कहते हैं कि यह गलत हो रहा है। क्या यह आम सहमति है? ...(**व्यवधान**)... अब मैं नाम नहीं लेना चाहता। मैं यह कह रहा हूं कि आम सहमति आप किस चीज पर चाहते हैं? ...(**व्यवधान**)... उपसभाध्यक्ष महोदय, ये किस चीज पर आम सहमति चाहते हैं? पूरे सदन की राय एक बार नहीं, चार-चार बार जिस बारे में जान ली गयी हो, अब आम सहमति आप बनाना चाहते हो, हमें हौवा दिखाना चाहते हो और बताना चाहते हो कि हम इनर्जी के लिए कर रहे हैं। महोदय, देश की प्रगति में किसी का विरोध होगा? लेकिन सिंधवी साहब, देश की प्रगति किस कीमत पर? उस कीमत पर जिस पर हजारों लोग शहीद हुए कि देश आजाद होगा तो हम दुनिया के साथ बराबरी का रिश्ता कायम करेंगे या इस की आम सहमति, इस का रास्ता आप बनाओगे किसी के सामने घुटने टिकवाकर ओर आप कहते हो कि हम इनर्जी के लिए कर रहे हैं? सीताराम येचुरी जी ने बहुत अच्छी बात कही। यह हम बहुत दिनों से कह रहे हैं ...(**व्यवधान**)...

श्री राजीव शुक्ल (महाराष्ट्र): आप उस समय विदेश उप-मंत्री थे जब ...(**व्यवधान**)... हवाई जहाजों को refuelling की परमीशन दी गयी थी।

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please do not disturb him. ...(*Interruptions*)... We have no time. ...(*Interruptions*)... Please

continue your speech ...(*Interruptions*)... You please take your seat. ...(*Interruptions*)... Please. ...(*Interruptions*)...

श्री राजीव शुक्ल: अमरीकी जहाजों को ईराक के खिलाफ refuelling की परमीशन इन्होंने दी थी ...(**व्यवधान**)...

श्री दिग्विजय सिंह: मैं आप की बात का जवाब देता हूं, आप मेरी बात सुनेंगे? उपसभाध्यक्ष जी, यह अच्छी बात है, देश को इस की जानकारी होनी चाहिए। दिग्विजय सिंह उस दिन विदेश उपमंत्री थे, आज नहीं हैं। आज आनन्द शर्मा हैं, कल नहीं रहेंगे; लेकिन देश जाने कि किसने क्या किया है? उपसभाध्यक्ष महोदय, जिस refuelling की बात आप कर रहे हो, यह हुई थी जब चन्द्रशेखर जी सरकार के प्रधान मंत्री थे और सरकार को किस का समर्थन था? आप तब कांग्रेसी थे भी नहीं। राजीव गांधी का समर्थन था।

श्री राजीव शुक्ल: मैं पत्रकार था ...(**व्यवधान**)... और मुझे ज्यादा पता है।

श्री दिग्विजय सिंह: नहीं-नहीं यह जानना चाहिए। संयुक्त राष्ट्र की महासभा में भारत की सरकार ने, उस समय की सरकार ने कहा था कि इस लड़ाई में हम हर तरह की मदद करेंगे संयुक्त राष्ट्र महासभा के साथियों को और जब refuelling होने लगी, महोदय, आज चन्द्रशेखर जी बीमारी की हालत में हैं, लेकिन देश के दो बड़े नेता आज भी जिंदा हैं जो सक्षम रूप से काम करते हैं– श्री अटल बिहारी वाजपेयी और श्री एल॰के॰ आडवाणी, जब चन्द्रशेखर जी ने यह फैसला किया था तो राजीव गांधी से पूछकर किया था। राजीव गांधी के कहने पर, अटल जी और आडवाणी जी को विश्वास में लेकर यह refuelling का काम हुआ था, किसी के पीछे कहने पर नहीं हुआ था।

श्री राजीव शुक्ल: यह गलत बात है ...(**व्यवधान**)...

श्री दिग्विजय सिंह: मैं इस को और पुख्ता करना चाहता हूं ...(**व्यवधान**)...

श्री राजीव शुक्ल: यह सब गलत बात है। ...(**व्यवधान**)...

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI ANAND SHARMA): Digvijayji, just one minute. ...(*Interruptions*)... I think you are getting carried away and making a statement which is not correct ...(*Interruptions*)...It is incorrect that it was on the instruction of the then leader of the Congress Party, the then President of the Congress Party and the former Prime Minister, Shri Rajiv Gandhi. ...(*Interruptions*)... This is not correct at all. ...(*Interruptions*)...

श्री दिग्विजय सिंह: अब मैं एक कदम और बढ़ाना चाहता हूं। ...(**व्यवधान**)... अभी-अभी सरकार के विदेश सचिव थे श्याम सरन जी। ...(**व्यवधान**)... सुन लीजिए। जब मैं बोल रहा हूं तो

जिम्मेदारी से बोल रहा हूं। उस समय चन्द्रशेखर सरकार में विदेश विभाग की तरफ से ज्वाइंट सेक्रेटरी थे और श्याम सरन जी ने ...(**व्यवधान**)...

SHRI SURESH PACHOURI: You cannot name a person here who cannot defend himself here. ...(*Interruptions*)...

SHRI ANAND SHARMA: I object to it, Sir. ...(*Interruptions*)... You cannot name any official for any reason. ...(*Interruptions*)... The Government officials cannot speak in the House. ...(*Interruptions*)... He should withdraw that. ...(*Interruptions*)... It is not a responsible thing at all. ...(*Interruptions*)...

श्री दिग्विजय सिंह: कैसे नहीं?

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Mr. Digvijay Singh, please listen to me. (*Interruptions*) Mr. Digvijay Singh, this discussion is about nuclear deal. Try to confine to that.

SHRI DIGVIJAY SINGH: I am confining to that.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): You also remember that as a Minister you have taken an oath not to reveal and don't forget that oath you have taken.

SHRI DIGVIJAY SINGH: Sir, it is Shri Rajeev Shukla who raised it.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Shri Rajeev Shukla, was never a Minister. Please come to your seat.

SHRI DIGVIJAY SINGH: No, no ...(*Interruptions*)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please come to the topic. (*Interruptions*). Please come to the topic. (*Interruptions*) Mr. Rajeev Shukla, please take your seat. Don't disturb. (*Interruptions*) Mr. Digvijay Singh, please come to the subject.

श्री दिग्विजय सिंह: सर, मैं अपने सब्जैक्ट पर था ...(**व्यवधान**)... वे जरा दो मिनट चुप बैठें, तो मैं अपनी बात खत्म कर दूँगा।

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): You have to be given only ten minutes. That was the instruction given to me and you have taken 15 minutes already. Please try to conclude. (*Interruptions*) Please sit down. (*Interruptions*) Please sit down. Take your seat. (*Interruptions*)

SHRI V. NARAYANASAMY: Sir, if he cannot substantiate, it should not go on record. (*Interruptions*)

श्री दिग्विजय सिंह: उपसभाध्यक्ष महोदय, मैं ऐसी बात नहीं कहूंगा ...(**व्यवधान**)... यह एक ऐसा सब्जैक्ट है, जिस पर मैं खुद नहीं चाहता कि कोई ऐसी बात हो, जिससे आपस में कोई तनाव का माहौल हो। हम अमेरिका के बारे में देश को एक करना चाहते हैं बांटना नहीं चाहते ...(**व्यवधान**)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please conclude. You have taken 15 minutes. You address the Chair. You are such a senior Member. Try to address the Chair and you know that your time was ten minutes. You have taken 15 minutes. I have direction about the timing.

श्री दिग्विजय सिंह: ठीक है, सर। लेकिन क्योंकि उन्होंने सवाल उठाया, इसलिए मैं इनका जवाब दे रहा था ...(**व्यवधान**)... उपसभाध्यक्ष महोदय, मैं भारत के प्रधान मंत्री जी से दो-तीन बातें ही कहना चाहता हूँ। मैं वे दो-तीन बातें इसलिए कह रहा था कि एक सवाल एनर्जी का उठाया गया था और एनर्जी के बारे में श्री सीताराम येचुरी जी ने एक बहुत ही अच्छा प्रस्ताव रखा और उस प्रस्ताव को मैं एक कदम और आगे ले जाना चाहता हूं। हम सब लोग इस देश में मानते हैं कि हिन्दुस्तान तब तक ताकतवर देश नहीं हो सकता, जब तक दक्षिण एशिया की गरीबी नहीं मिटेगी। अगर बांग्लादेश में गरीबी रहेगी, नेपाल में गरीबी रहेगी, श्री लंका में गरीबी रहेगी, तो भारत एक ताकतवर देश नहीं हो सकता है। उसकी गरीबी मिट नहीं सकती, क्योंकि हमारा बॉर्डर खुला हुआ है। नेपाल के लोग हमारे देश में चले आते हैं, बांग्लादेश के और श्री लंका के लोग हमारे देश में चले आते हैं। वे इसलिए हमारे यहाँ चले आते हैं क्योंकि वहां खाने का ठिकाना नहीं है। वे लोग गरीबी से परेशान होकर यहां आते हैं। इसलिए सीताराम जी का जो प्रस्ताव था, अगर प्रधान मंत्री जी सचमुच इस देश में एनर्जी की समस्या को समाप्त करना चाहते हैं–नेपाल में निजाम बदला है, वहां नई हुकूमत आई है और वहां के लोगों में समझदारी बढ़ी है और इस समझदारी का फायदा उठाते हुए हम जो तकरीबन 70-80 हजार मेगावाट हाइड्रो इलेक्ट्रिक एनर्जी की उम्मीद कर रहे हैं, वह नेपाल से दोस्ती करके एक तरफ न सिर्फ एनर्जी को तैयार करेंगे ...(**समय की घंटी**)... बल्कि उत्तर प्रदेश और बिहार में जो लगातार बाढ़ आती है, हम उस बाढ़ को रोकने में भी कामयाब हो सकते हैं। ...(**व्यवधान**)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please conclude. (*Time-bell*) Please conclude. Please conclude.

श्री दिग्विजय सिंह: मैं कन्क्लूड कर रहा हूं, सर। यहां पर कितना पैसा खर्च होने वाला है? महोदय, जो सरकारी आंकड़ा है–मैं उतने पर ही सीमित हूं–40 बिलियन यू॰एस॰ डॉलर। अरुण शौरी जी 20 बिलियन बता रहे थे, लेकिन जो सरकारी आंकड़ा है, उसके आधार पर मैं कहता हूं कि

40 बिलियन डॉलर खर्च होंगे और 40 बिलियन डॉलर का मतलब है–2 लाख हजार करोड़ रुपए। 2 लाख हजार करोड़ रुपए और पानी की refueling? और एनर्जी के लिए अगर आप न्यूक्लियर एनर्जी का इस्तेमाल करेंगे, तब उसमें कितने का अन्तर पड़ता है, इसका आप अंदाजा लगा लीजिए। ...(**व्यवधान**)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please conclude now. (*Interruptions*) You cooperate with me.

श्री दिग्विजय सिंह: इसलिए उपसभाध्यक्ष महोदय, यह बहाना न बनाया जाए। मैं इतना ही कहना चाहता हूं कि एनर्जी का बहाना न बनाया जाए ...(**व्यवधान**)... अगर देश को अपने पैरो पर खड़ा करना है, तो उसके स्वाभिमान को जगाए रखना पड़ेगा, अमेरिका के साथ यह समझौता करके इस देश के स्वाभिमान को आप बचाए नहीं रख सकते। इसलिए प्रधान मंत्री जी ...(**व्यवधान**)...

उपसभाध्यक्ष (प्रो॰ पी॰जे॰ कुरियन): आप कोऑपरेट कीजिए। ...(**व्यवधान**)... You cooperate with me. Please conclude.

श्री दिग्विजय सिंह: सर, मैं तो खत्म कर रहा हूं, आप सुनिए तो ...(**व्यवधान**)...मैं कंक्लूड ही कर रहा हूं। या तो आप कह दें कि बैठ जाओ, मैं बैठ जाता हूं और नहीं, तो दो मिनट दीजिए, मैं खत्म कर देता हूं ...(**व्यवधान**)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): You please conclude. That's what I am saying (*Interruptions*) You please conclude. खत्म कर लो।

श्री दिग्विजय सिंह: मैं कंक्लूड ही कर रहा हूं, उपसभाध्यक्ष महोदय।

उपसभाध्यक्ष (प्रो॰ पी॰जे॰ कुरियन): ठीक है, कंक्लूड कीजिए।

श्री दिग्विजय सिंह: इसलिए मैं आपके माध्यम से प्रधान मंत्री जी से यह दरख्वास्त करना चाहता हूं कि प्रधान मंत्री जी, आपके लिए यह समय आ गया है, जब आप दो टूक भाषा में अमेरिका से बात करें। आप विश्वास से यह कह सकते हैं कि इस मसले पर पूरा देश आपके साथ खड़ा है और अगर आप सचमुच इस देश की प्रगति में अमरीका का सहयोग लेना चाहते हैं और अगर आपको लगता है कि सचमुच अमरीका आपकी प्रगति में आपकी मदद करना चाहता है, तो आप अमरीका से इतना जरूर कहें कि जो बात हमसे हो चुकी है या जो बात हमने अपने सदन में और देश को विश्वास में लेकर कह दी है, हम उससे एक कदम पीछे हटने वाले नहीं हैं, तभी इस संधि का स्वागत इस देश में होगा। धन्यवाद।

डा॰ मुरली मनोहर जोशी: उपसभाध्यक्ष जी, मैं आपका आभारी हूं कि आपने मुझे इस विषय पर अपने विचार रखने का अवसर दिया। यह पहली बार नहीं है, जबकि इस बारे में इस सदन को मैं

अपने और अपनी पार्टी के विचारों से अवगत करा रहा हूं, इस विषय पर मैंने माननीय प्रधानमंत्री जी को कुछ पत्र भी लिखे थे, लेकिन मुझे अफसोस है कि उन पत्रों का उत्तर देना उन्होंने उचित नहीं समझा। मैं समझ सकता हूं, क्योंकि उन पत्रों में हमने जो समस्याएं रखी थीं, जो बिन्दु उठाए थे, वे आज तक उसी तरह से अनुत्तरित हैं और देश उनसे उनका उत्तर जानना चाहता है।

सबसे पहले मैं यह निवेदन करना चाहूंगा कि प्रधानमंत्री जी ने यह कहा था कि यह समझौता ऊर्जा के कारण हमें करना पड़ा है। श्री सिंघवी जी ने इस बारे में देश को और सदन को आज फिर से बताने का बहुत प्रयास किया कि हमारे देश में ऊर्जा का बहुत अभाव है हमें विश्व की महाशक्ति बनना है, हमें 10 प्रतिशत या उससे अधिक विकास की दर पर शीघ्रातिशीघ्र पहुंचना है और इसलिए हमें ऊर्जा की आवश्यकता है। इसमें कोई संदेह नहीं कि विकास के लिए, औद्योगिक विकास के लिए ऊर्जा बहुत प्रमुख तत्व है, वह उसकी कुंजी है, लेकिन यह कोई बुद्धिमानी की बात नहीं है कि हम अपनी विकास की कुंजी दूसरे देश के हाथ में थमा दें। विकास के लिए ऊर्जा की जरूरत है और वह बहुत महत्वपूर्ण है, लेकिन यह विकास की कुंजी हमारे हाथ में रहनी चाहिए। मुझे याद आता है कि एक बार एक मुग़ल बादशाह हिन्दुस्तान में पहली बार आए, वे घोड़ों पर चढ़ने के आदी थे। लेकिन, हिन्दुस्तान में बादशाह या शहंशाह हाथी पर चढ़ाए जाते थे। इसलिए जब वे सवारी के लिए निकले तो सामने हाथी खड़ा था। उन्होंने कहा कि इस पर मैं बैठूंगा कैसे? उनको बताया गया कि इस तरह से आपको मदद मिलेगी, नीचे एक स्टूल रखा जाएगा जिस पर पांव रखकर आप हाथी पर पहुंच जाएंगे। बादशाह ने कहा कि बहुत अच्छा है। फिर बादशाह ने पूछा कि इस हाथी को चलाएगा कौन? तो उन्हें कहा गया कि इसको महावत चलाएगा। इस पर बादशाह ने कहा कि फिर मुझे इस हाथी पर बैठने की दरकार नहीं है, मेरा घोड़ा ही अच्छा है, जिसे मैं खुद चलाऊंगा। तो सवाल यह है कि अगर आप ऊर्जा के हाथी पर बैठना चाह रहे हो और उस ऊर्जा के हाथी को चलाने वाला महावत वाशिंगटन में बैठा हो, तो उस ऊर्जा से देश का काम नहीं चलेगा।

दूसरी बात यह है कि हमें बताया गया है कि नाभिकीय ऊर्जा बहुत जरूरी है, क्योंकि यही सबसे सस्ती पड़ेगी, सबसे जल्दी मिलेगी, बड़ी क्लीन होगी, वगैरह, वगैरह। शौरी जी ने और येचुरी जी ने ऊर्जा मिक्स के बारे में बात कही थी, मैं उससे सहमत हूं, लेकिन उन दोनों ने ऊर्जा के एक प्रमुख स्रोत का उल्लेख नहीं किया, जो है सौर ऊर्जा। दुनिया में हिन्दुस्तान एक ऐसा देश है जिसमें प्रति स्क्वायर सेंटिमीटर सबसे ज्यादा सोलर एनर्जी मिलती है; 12 महीने मिलती है। कभी देश के किसी हिस्से में महीना, दो महीने न मिले तो दूसरे हिस्से में मिलती रहती है, लेकिन कुल मिलाकर सौर ऊर्जा का सबसे बड़ा भाग भारत को मिलता है और मैं यह निवेदन करना चाहता हूं कि पांच-सात साल पहले जब मैं विज्ञान मंत्री की हैसियत से जर्मनी गया था तो जर्मनी के वैज्ञानिकों ने हमसे कहा था कि वे धीरे-धीरे अपने सारे नाभिकीय ऊर्जा संयंत्र बंद कर रहे हैं और और उसके बदले सोलर ऊर्जा की तरफ, सौर ऊर्जा की तरफ जा रहे हैं। अब अगर जर्मनी इस बात के लिए कोशिश कर

सकता है, जहां इतनी सौर ऊर्जा नहीं मिलती तो भारत को क्या दिक्कत है? अभी जो आंकड़े बताए जा रहे हैं कि दो लाख हजार करोड़ रुपए खर्च होंगे, अगर उनमें से कुछ हजार करोड़ ही सोलर एनर्जी के लिए, सौर ऊर्जा के विकास के लिए खर्च कर दिए जाएं तो बहुत अच्छा होगा, क्योंकि सौर ऊर्जा हमारे देश में उपलब्ध है, बहुत से काम हम उससे कर रहे हैं, लेकिन उसकी ऐफिशिएंसी, उसकी दक्षता बढ़ाने की जरूरत है और वह अगर हमने 10 प्रतिशत भी बढ़ा दी, 15-20 प्रतिशत बढ़ाने का लक्ष्य रखें, लेकिन अगर 10 प्रतिशत भी उसकी ऐफिशिएंसी हमने बढ़ा दी, तो आप देखेंगे कि बिना किसी कष्ट के हम सारे देश को ऊर्जा दे सकेंगे और शायद एक्सपोर्ट भी कर सकेंगे, पर इस पर ध्यान नहीं दिया गया।

ऊर्जा का एक अन्य स्रोत हाइड्रोजन है, जो बहुत क्लीन है और प्रचुर मात्रा में उपलब्ध भी है और उसका बाइप्रोडक्ट अच्छा पानी बनता है। जब मैं विज्ञान मंत्री था, तब मैंने इसकी कोशिश की और बीएचयू में ...(**व्यवधान**)... कृपा करके मंत्री महोदय तो न बोलें ...(**व्यवधान**)... उपसभाध्यक्ष जी, आप उन्हें अनुशासित करें ...(**व्यवधान**)... मैं आपसे निवेदन कर रहा था कि हमने उस हाइड्रोजन ऊर्जा का प्रयोग करके देखा, उससे मोटर-साइकिल चला कर दिखाई गई, उससे जीप चला कर दिखाई गई, उससे रेफ्रिजरेशन हो सकता है, उससे भोजन पकाया जा सकता है और वह प्रचुर मात्रा में उपलब्ध भी है। हमारे देश के लिए भी क्यों नहीं इस तरह से प्रयास किया जाता है? हम ऐसी चीजों के लिए कोशिश क्यों नहीं कर रहे हैं? यह वह ऊर्जा है, वह हाथी है, जिसके महावत हम स्वयं हैं, यह वह घोड़ा है, जिसकी लगाम हमारे पास है और जो ऊर्जा हमारे देश को न केवल आत्मनिर्भर बनाएगी बल्कि वैज्ञानिक प्रगति की दृष्टि से भी हमें आगे ले जाएगी और हम भारत को ही नहीं, सारी दुनिया को रास्ता दिखा सकेंगे। इसलिए मैं यह मानता हूं कि हमें इस मामले में और गहराई से विचार करना चाहिए।

हम जिसे वायु ऊर्जा कहते हैं, विंड एनर्जी कहते हैं, वह भी हमारे देश में बहुत बड़ी मात्रा में उपलब्ध है और जहां तक मेरी अपनी जानकारी है, नाभिकीय ऊर्जा से कहीं ज्यादा ऊर्जा हमारे देश में 18 जुलाई, 2005 को उपलब्ध थी और बहुत अच्छी मात्रा में उपलब्ध थी, इसलिए उसमें कोई कठिनाई नहीं है। अत: हमारे ऊपर यह जो समझौता थोपा जा रहा है कि हमारे पास ऊर्जा की कमी है और हमारे पास इसके अलावा ऊर्जा का और कोई स्रोत नहीं है, मैं यह बात मानने के लिए तैयार नहीं हूं और शायद देश का कोई भी विचारवान व्यक्ति, जो देश की भौगोलिक परिस्थितियों से, यहां की सभी आवश्यकताओं से, यहां की पानी की क्षमता से, यहां की सौर ऊर्जा की क्षमता से और इसके अलावा जो यहां की बायो एनर्जी है, उसकी क्षमता से परिचित हैं, वह इस बात को कभी स्वीकार नहीं करेगा कि सिर्फ इतनी खर्चीली नाभिकीय ऊर्जा, जिसके साथ अन्य बहुत सी समस्याएं जुड़ी होती हैं, जैसा यहां बताया गया कि उसे संरक्षित करना, उसमें से जो वेस्ट निकलता है, उसे रखना और फिर उसका डिस्पोजल करना, आखिर क्यों अमेरिका ने आज तक हमें इसके न्यूक्लिर वेस्ट्स को वहां पर भेजने की इजाज़त नहीं दी है, क्योंकि वह उसका डिस्पोजल अपने यहां पर नहीं

करना चाहता है। वह तो इस बात की कोशिा करेंगे कि सारी दुनिया का न्यूक्लियर वेस्ट हमारे यहां डम्प किया जाए, लेकिन अपने यहां वह उसे नहीं लेना चाहते। हमें इन बातों पर विचार करना चाहिए और ऊर्जा का जो बहाना या निमित्त बनाया जा रहा है, मैं माफी चाहूंगा, उसे एक आर्गुमैंट दिया जा रहा है, तर्क दिया जा रहा है, यह बहुत मज़बूत तर्क नहीं है।

हां हमें नाभिकीय ऊर्जा की जरूरत है और कई बार यह कहा जाता रहा है कि हमारे पास नाभिकीय ऊर्जा को उत्पन्न करने के लिए और अपने स्ट्रैटेजिक कार्यक्रमों के लिए, यूरेनियम की बहुत कमी थी और फिर हमने उसकी पूर्ति के लिए आवाज लगाई और उसकी पूर्ति करने के लिए अमरीका ने कहा कि अमुक शर्तें मानो, इस तरह से काम करो और हमने उनको मान लिया और फिर उसी में से यह समझौता निकला।

मेरे सामने वैज्ञानिकों का एक बयान है, जिसमें उन्होंने कहा है, "At the very outset, it should be understood that India has sufficient supplies of natural uranium to meet immediate requirements until the third phase of thorium cycle has been commercialised, when India would have attained complete self-sufficiency over all aspects of nuclear energy production. With uranium mining activities, in India, proceeding at a snail's pace, we have come to a point where immediate imports were required mainly to keep the two Tarapore plants running past 2007."

बुनियादी बात यह है कि हमारे देश में यूरेनियम है। यहां मैं न तो किसी विदेशी को कोट कर रहा हूं और न ही किसी अंतरराष्ट्रीय एजेंसी की रिपोर्ट दे रहा हूं, यह हमारे उन वैज्ञानिकों का कथन है, जो इस नाभिकीय ऊर्जा से, न्यूक्लियर एनर्जी से, न्यूक्लियर प्रोग्राम से जुड़े रहे हैं। मैं भी इस बात को जानता हूं कि हमारे देश में यूरेनियम के प्रचुर भंडार हैं, आन्ध्र प्रदेश में हैं, झारखंड में हैं, उड़ीसा में है, मेघालय में हैं और उत्तरांचल में भी हैं। आज भी जो माइनिंग हो रही है, जितना हम जानते हैं, उसमें 12,000 टन ओर (ore) एंड एनरिच्ड यूरेनियम हमारे देश में उपलब्ध है, लेकिन उसकी माइनिंग क्यों नहीं हो रही है? आन्ध्र प्रदेश में क्या हो रहा है? नक्सलाइट्स वहां पर जाने ही नहीं देते और ट्राइबल्स के मामले उठा करके लोगों को वहां घुसने नहीं देते। एक बार मैं मेघालय के दौरे पर गया था, वहां मैंने देखा कि एक आन्दोलन हो रहा था। वह आन्दोलन इसलिए था कि हम यूरेनियम नहीं ले जाने देंगे। मैंने उन बच्चों को बुलाया और पूछा कि भई आप क्यों नहीं ले जाने दोगे, तो वे बोले कि यह हमारा है। मैंने कहा कि आपका है, सारे देश का है। फिर बोले, नहीं-नहीं, हम इसको नहीं ले जाने देंगे। मैंने कहा कि आप इससे कहां क्या करोगे? वे बोले कि हम कुछ भी करें, लेकिन हम इसको यहां से नहीं ले जाने देंगे। वहां बगल से कोयला जा रहा था। हमने कहा कि कोयला क्यों ले जाने दे रहे हो? यूरेनियम नहीं ले जाने देंगे, कोयला ले जाने देंगे। इसका मतलब है कि एक निश्चित उद्देश्य से वहां आंदोलन किए जा रहे थे कि यहां से यूरेनियम नहीं ले जाने देंगे। आंध्र से

यूरेनियम नहीं ले जाने देंगे। कहीं पर एक्सप्लोरेशन करना हो तो एक्सप्लोरेशन नहीं करने देंगे, क्योंकि वह ट्राइबल की जमीन है कैसे घुस सकते हैं। मैं यह पूछना चाहता हूं कि क्या देश की सुरक्षा और देश का स्ट्रेटेजिक प्रोग्राम इन बातों में उलझा रहेगा? अभी तक इस बात की जानकारी क्यों नहीं ली गई कि यह आंदोलन क्यों हो रहे हैं और इन आंदोलनों के पीछे कौन ताकतें हैं? मुझे कभी-कभी संदेह होता है कि वे ताकतें जो हिन्दुस्तान के नाभिकीय कार्यक्रम को, न्यूक्लीयर प्रोग्राम को, स्ट्रेटेजिक प्रोग्राम को सफल नहीं होने देना चाहतीं और हमें न्यूक्लीअर मामलों में, नाभिकीय मामलों में आत्म-निर्भर नहीं होने देना चाहती, कहीं वे ताकतें तो इसकी पीछे नहीं हैं? कहीं वे यह तो नहीं चाहतीं कि एक दफा हमको यहां पर न्यूक्लिअर मैटीरियल में अभाव पैदा हो, नाभिकीय चीजें-हम अपना यूरेनियम माइन नहीं कर सकें, उसको खोद न सकें और फिर हम उसको दुनिया से मंगाएं? मैं इस बात को कई तरह से सोचता हूं। आज मुझे अखबार में देखकर बड़ा अच्छा लगा कि हमारे माननीय प्रधान मंत्री जी Joseph Stiglitz के साथ बैठे हुए थे और विकासशील देशों की अर्थ व्यवस्था पर जो विकसित देश हैं उनका कैसा प्रभाव पड़ रहा है या उनकी क्या राजनीति है 'The politics of W.T.O.' इस पर उन्होंने भाषण किया। सही बात है। अगर आप गौर से देखें तो विकास के लिए पूंजी की जरूरत है, विकास के लिए टेक्नॉलोजी, रॉ-मेटीरियल और एनर्जी की जरूरत है। अगर आप इस पर ध्यान दें, देश को आत्म-रक्षा के लिए अनाज की जरूरत है, तो मैं देखता हूं कि there is a politics of W.T.O. There is a politics of food. There is a politics of energy and there is a politics of technology. is पेटेंट कानून के द्वारा, They impinge upon the politics of technology. यह जो सारी व्यवस्थाएं नाभिकीय और ऑयल की जो पॉलिटिक्स है वह एनर्जी पॉलिटिक्स है। अनाज के मामले में मुझे कहने की इजाजत दीजिए, इस सरकार ने जो दूसरा समझौता किया है अभी इसी नाभिकीय समझौते के साथ-साथ, जिसकी चर्चा इस सदन में नहीं हुई, जो कि उतनी ही जरूरी है, वह आपके सैकंड ग्रीन रिवोल्यूशन की है, that is, food politics. मेरे पास कुछ रिकार्ड्स हैं जिसमें अमेरिका के फॉरेन सेक्रेटरी ने कहा था Food is our instrument and it is a very powerful instrument to bargain. इसका मतलब यह है कि अनाज की एक पॉलिटिक्स है कि अनाज के आधार पर, अनाज को लेकर के हम दूसरे देशों को दबा सकते हैं। एनर्जी एक पॉलिटिक्स है जिसके आधार पर हम दूसरे देशों को दबा सकते हैं, बारगेनिंग कर सकते हैं। एनर्जी का अभाव पैदा करो, अनाज का अभाव पैदा करो, पूंजी का अभाव पैदा करो, टेक्नॉलोजी आने मत दो और फिर उन देशों को अपने कब्जे में रखो, विकसित देशों की जो एक मानसिकता है उसको हम समझ लें। इस हिसाब से आप जरा इस सारे नाभिकीय समझौते की पृष्ठभूमि और आज तक के डवलपमेंट पर विचार करें। मैं आपको निवेदन करना चाहता हूं, मैं दोहराऊंगा नहीं क्योंकि बहुत सी बातें विस्तार में कही गई हैं, लेकिन सार रूप में मैं यह कहता हूं कि हमारे सामने यह जो हाइड एक्ट आया है, लेकिन नाम तो हाइड एक्ट है But it hides many things and reveals very few things. यह अपने

5.00 P.M.

अंदर बहुत चीजें छिपाए हुए है। मगर जो कुछ आप इसको देखें सार रूप में इसमें कुछ बातें उभरती हैं। पहली बात तो यह है कि It seeks to neither fully nor irreversibly lift civil nuclear sanctions against India. जो बात कही जाती है बार-बार वह इसमें से निकल नहीं रही है। इसके प्रोविजंस, इसकी धाराएं हमारे ऊपर से सैंक्शंस पूरे तौर पर भी नहीं उठाते और सदा के लिए भी नहीं उठाते। It provides no guarantee of uninterrupted fuel supply over the lifetime of imported reactors. और यह हमारी नाभिकीय स्वायत्ता को, नाभिकीय स्वतंत्रता को एक तरह से प्रतिबंधित करता है, जो किसी भी दिन रुक जाएगा। फिर आपका यह सारा इंवेस्टमेंट चार लाख हजार करोड़ का, दो लाख हजार करोड़ का, तो आपकी सारी जो विकास की जितनी भी योजनाएं हैं ठप्प हो जाएंगी। तो इसमें कुछ गारंटी नहीं है। It denies India an unfettered right to either reprocess U.S.—origin fuel discharged by reactors or to ship it to the U.S. for disposal. कोई इसकी व्यवस्था नहीं है और आगे भी जो इसमें से नाभिकीय वेस्ट निकलेगा, इसको आप वापिस नहीं भेज सकेंगे, इसको आप कहां डिस्पोज-ऑफ करेंगे, यह आपको सोचना पड़ेगा? It debars India's exit from the arrangements, but allows the U.S. to terminate all cooperation if New Delhi fails to abide by the listed good-behaviour conditionalities. अच्छे बच्चे की तरह हम व्यवहार कर रहे हैं, अगर यह हमने नहीं दिखाया तो वे समझौता तोड़ सकते हैं। It decrees U.S. end-use verification in India, in addition to inspections by the Vienna-based International Atomic Energy Agency. अमेरिका की जो एजेंसी है, वह भी हमारा निरीक्षण करेगी। माननीय प्रधान मंत्री जी ने कहा था कि there is no reason for the American scientists or the American agents to roam about it, But यह तो सीधे-सीधे उनको इजाजत देता है कि वे आएं, चक्कर लगाएं और गौर से देखते रहें कि हम क्या कर रहे हैं। इसमें संदेह पैदा होता है कि हमारी जो टेक्नालॉजी है, जिसमें अमेरिका बहुत पीछे है क्योंकि उन्होंने 1970 से आज तक एक भी रिएक्टर नहीं बनाया है। थोरियम टेक्नालाजी की बात तो छोड़ दीजिए, जो यूरेनियम की एडवांस्ड टेक्नालाजी है, जिसकी बात कही जाती है, उसमें अमेरिका ने 1970 से अब तक कोई रिएक्टर नहीं बनाया है। It not only formalizes India's status as a non-nuclear-weapons State, but it also mandates that New Delhi signs with the IAEA a highly instrusive Additional Protocol of the type applicable to non-nuclear nations. हमको बार-बार यह कहा गया कि भारतवर्ष का स्टेटस बहुत बढ़ेगा। शुरू में तो यह कहा गया था कि भारत बिल्कुल न्युक्लियर वैपन्स स्टेट होगा। फिर बाद में प्रधान मंत्री जी ने उसमें संशोधन किया और कहा कि नहीं non-nuclear की बात तो नहीं है, लेकिन एक एडवांस्ड न्युक्लियर टेक्नालाजी वाला देश यह है और यह इसका स्टेटस होगा या वह भी इसके अंदर नहीं है। क्योंकि वे जो शर्तें लगा रहे हैं, वे नॉन न्यु क्लियर वैपन्स स्टेट के लिए हैं, वे न्युक्लियर

टेक्नालाजी में एडवांस्ड देशों के लिए नहीं है। It seeks to compel New Delhi to unilaterally adhere to US-led cartels formed without UN sanction that continue to exclude and target India--the Nuclear Suppliers' Group, Missile Technology Control Regime, Australia Group and Wassenaar Arrangement. In addition, the Act seeks India's "full participation" in the controversial US-promoted Proliferation Security Initiative (PSI). Well, the Act perpetually, hangs the sword of Damocles of waiver or termination over India's head.

वह कभी भी इसको कर सकते हैं। आप उनके सामने किसी भी बहाने से नतमस्तक हों, कोई बात निकलना, उनके लिए बहुत आसान है। जिस इराक में कुछ नहीं था, उनको वहां कोई न्युक्लियर वैपन नहीं मिला, वहां इतना हंगामा कर दिया, तो फिर यहां भी हो सकता है। भगवान न करे कि इस तरह की कोई पोजिशन आए। It aims to bring India forcibly through the backdoor into a pact rejected by the US Senate-- the Comprehensive Test Ban Treaty (CTBT). It seeks both to build pressure on India to halt all fissile-material production and continually shine a spotlight on the Indian nuclear-weapons programme. It widens and toughens a stipulation that India actively and fully assist US efforts to discipline and isolate Iran and also to follow policies congruent to the policy of the United States.

अब यह जो स्थिति है, ये सारी जो बातें हैं, माननीय प्रधान मंत्री जी ने इस सदन के मार्फत एक बार नहीं, दो बार नहीं, तीन-तीन बार और सदन के बाहर भी, बार-बार उन्होंने आश्वस्त किया है कि ये सब बातें नहीं होगी। लेकिन यह सब जो Hyde Act है, उसके परिणाम हैं, उसके परिणामों से बचना, बावजूद इसके कि हमारे विद्वान वक्ता ने यह कहा कि बहुत सी बातें इसमें वे हैं, जो non-mandatory हैं, जो हमारे ऊपर इपदकपदह नहीं हैं। यह बड़ी विचित्र बात है यह कानून हिन्दुस्तान के लिए तो है नहीं। कानून तो अमेरिका के लिए बनाया है। अमेरिकन का क्या interpretation है, वह क्या उसका अर्थ लगाते हैं, सवाल तो वहां है। वह कैसे उसका interpretation करते हैं, क्या उसकी व्याख्या करते हैं? अगर यह उसके लिए नहीं है, तो पहले सरकार की तरफ से यह स्पष्ट कहा जाए, सरकार की तरफ से यह बात स्पष्ट आनी चाहिए कि ये अमेरिकन प्रेजिडेंट के लिए binding है या नहीं? यह सवाल पहले भी उठाया गया। आज सुबह शौरी जी ने भी उठाया और लोगों ने भी उठाया। मैं दो टूक शब्दों में जानना चाहूंगा कि अगर ये प्रतिबंध non-binding हैं, तो क्या अमेरिकन प्रेजिडेंट के ऊपर भी नहीं लगेंगे? क्या वह इनको इग्नोर कर सकता है? क्या वह इनके बाहर काम कर सकता है, क्योंकि parameters have been well defined. चौखटा तो बना दिया गया है। दूसरी बात यह है कि यह सब बातें वहां निकलती हैं, उनका जो Atomic Energy Act, 1954 का है, उसका जो सैक्शन 123 है, उसमें से सारी चीज़ निकल रही है। वह एक्ट अपनी जगह पर मौजूद है, उस एक्ट में तो कोई बदलाव नहीं हुआ है। Evertything which follows

on that Act उसके ऊपर वह सारी चीजें binding होंगी जो 1954 के एक्ट में मौजूद हैं। वहां जो कुछ मौजूद है, वह सब हमारे ऊपर लागू होगा। आप कहते रहिए कि वह non-binding है। वह कहेंगे कि हमारा जो Atomic Energy Act, 1954 का है, उसका यह सैक्शन 123 है और इस सैक्शन का अनुपालन कराने के लिए ही ये चीजें हैं और उस एक्ट में बहुत सी बातें लिखी गई हैं। 123 उस एक्ट को ओवर रूल थोड़ा ही कर सकता है। आपका 'हाइड् एक्ट' इस 123 धारा के अंतर्गत बनाया गया है, उसी के अंदर हम कुछ कर सकेंगे, इस तरह का आभास हमें दिया जा रहा है। इस पर गहराई से बात होनी चाहिए और मैं समझता हूं कि विद्वान अधिवक्ता इस पर थोड़ा गहराई से विचार करें और सरकार भी इस बात पर गहराई से विचार करे कि क्या 'हाइड एक्ट' की जो आज धाराएं हैं, उससे अमरीकी राष्ट्रपति प्रतिबंधित नहीं हैं, वे उन पर नहीं लगेंगी, क्या वह उसको वीटो कर सकता है, क्या वह उससे हट सकता है? अगर ऐसा होता तो जहां तक मैं समझता हूं, अमेरिकन कांग्रेस ने उनको फास्ट ट्रेक डिसीज़न करने वाला जो प्रावधान था, वह स्वीकार नहीं किया, वह उन्होंने मना कर दिया कि नहीं, यह हम नहीं मानेंगे और उन्होंने यह कहा कि अगर आप इस एक्ट के तहत कोई समझौता कर लेंगे तो खाली राष्ट्रपति ने दस्तखत कर दिए, इतने से बात नहीं बनेगी। हमारे पास फिर से लाइए। क्यों लाइए? राष्ट्रपति को आपने अधिकार देकर क्यों नहीं छोड़ दिया? वे कहते हैं, नहीं, आप यहां आइए और हमें दिखाइए कि 'हाइड एक्ट' के मुताबिक इस समझौते की धाराएं बनायी गयी हैं या नहीं बनायी गयी हैं। क्या मतलब है उसका? अगर यह नॉन बाइंडिंग का ही सवाल है और उन्होंने खाली एक विश अपनी रखी है कि हमारी इच्छा है कि ऐसा हो तो फिर छोड़ दो, उस राष्ट्रपति देख रहे हैं, आपकी इच्छा अपनी जगह है, राष्ट्रपति का आदेश अपनी जगह है। कहते हैं, नहीं, हमारे पास आइए, हमें दिखाइए। जब तक हम उसके ऊपर दोबारा से रेज़ोल्यूशन नहीं करेंगे, तब तक यह कानून नहीं बनेगा, तब तक यह समझौता नहीं माना जाएगा। ...(समय की घंटी)... ये सारी बातें हैं जो इस बारे में हमें सशंकित करती हैं कि यह कानून, यह व्यवस्था भारत की ऊर्जा सामर्थ्य पर, ऊर्जा स्वाधीनता पर पूरा अंकुश लगाने की बात है और इसी के साथ-साथ हमारे स्ट्रेटेजिक प्रोग्राम्स को, हमारे नाभिकीय कार्यक्रमों को समाप्त करने की बात है। क्या उसमें यह शर्त नहीं है कि भारत अगर कोई नाभिकीय विस्फोट करेगा तो यह सारा समझौता रद्द हो जाएगा, वह सारी योजना की जितनी हमारी कहानी है, वह वहीं खत्म हो जाएगा, उसका पटाक्षेप हो जाएगा। और हम अपने आप विस्फोट करें या न करें, उसका फैसला कौन करेगा? हम करेंगे या अमेरिका ...(समय की घंटी)... सर, मुझे माफ कीजिएगा, यह बहुत महत्वपूर्ण विषय है। मैं अपने समय पर कनक्लूड करूंगा। सर, यह देखने की बात है। हमें यह बताया जाए कि ऐसी स्थिति में क्या होगा? उसके द्वारा जो कुछ अमेरिका उपलब्ध करना चाह रहा है, उसे वह सब मिल रहा है हमें मिल ही क्या रहा है? उसका ज़रा लेखा-जोखा तो हो कि हम जाएंगे कहां? नाभिकीय कार्यक्रम आपका समाप्त है, आपकी जो credible minimum deterrence का सवाल है, वह गायब है, वह आप नहीं रख सकेंगे। ग्लोबल सिचुएशन बदल रही है, चारों तरफ से हम घिरे हुए हैं। क्या ऐसी स्थिति में हम

अपने नाभिकीय स्ट्रेटेजिक कार्यक्रम में बदलाव नहीं कर सकते? मगर उसके लिए अमेरिका से इजाजत लो, यह क्या बात हुई? हमारा डिफेंस उनके अंडर, हमारी ऊर्जा उनके अंडर, हमारी फॉरेन पॉलिसी उनके अंडर, हमारी फूड पॉलिसी उनके अंडर- हम कहां जा रहे हैं? किधर ले जाना चाहते हैं? इसमें मैं आपको यह भी बताऊंगा कि अब जो वैज्ञानिकों ने हमारे माननीय प्रधानमंत्री जी को पत्र लिखा है, उसका भी ज़रा अनुसरण कीजिए-वह तो लेटेस्ट है, अभी लिखा है उसमें वे कहते हैं कि "In the context of our August 2006 meeting with the Prime Minister, we have summarised below our views on the Hyde Act, and our recommendations to the Parliamentarians on the action required from them". ये कौन लोग हैं? ये बहुत प्रसिद्ध नाम हैं। नीचे हस्ताक्षर करने वाले हैं–Dr. H.N. Sethna, former Chairman, Atomic Energy Commission, Dr. M.R. Srinivasan, former Chairman, Atomic Energy Commission, Dr. P.K. Iyengar, former Chairman, Atomic Energy Commission, Dr. a. Gopalakrishnan, former Chairman, Atomic Energy Regulatory Board, Dr. A.N. Prasad, former Director, Bhabha Atomic Research Centre, Dr. Y.S.R. Prasad, former Chairman and Managing Director, Nuclear Power Corporation of India Limited, Dr. Placid Rodriguez, former Director, Indira Gandhi Centre for Atomic Research. ये कोई सामान्य लोग नहीं हैं। वैज्ञानिकों की बात सदन को सुनाने दीजिए।

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please, conclude.

डा॰ मुरली मनोहर जोशी: उपसभाध्यक्ष महोदय, यह बहुत महत्वपूर्ण बात है, पार्लियामेंटेरियंस से उन्होंने अपील की है full cooperation in civilian nuclear energy has been denied to India:(a) US unwillingness to cooperate in the areas of spent fuel reprocessing and Uranium enrichment related to the full nuclear fuel cycle. (b) Denial of the nuclear fuel supply assurances and alternative supply arrangements mutually agreed upon earlier (c) Limits cooperation in the GNEP programme. India will not be permitted to join as a technology developer but as a recipient State. हर जगह आप recipient हैं। कहीं आप टेक्नालॉजी रिसीव कर रहे हैं, कहीं आप निमस रिसीव कर रहे हैं, कहीं आप पूंजी रिसीव कर रहे हैं, हर जगह आप recipient हैं।

(d) India asked to participate in the international efforts on nuclear non-proliferation, with a policy congruent to that of United States.

(e) Impact on our Strategic Defence Programme: In respondng to the concerns earlier expressed by us, the Prime Minister stated in the Rajya Sabha on August 17, 2006 that "We are fully conscious of the changing

complexity of the international political system. Nuclear weapons are an integral part of our national security and will remain so, pending the global elimination of all nuclear weapons and universal non-discriminatory nuclear disarmament. Our freedom of action with regard to our strategic programmes remain unrestricted. The nuclear agreement will not be allowed to be used as a backdoor method of introducing NPT type restrictions on India." And yet, this Act totally negates the above assurances of the Prime Minister.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please, Joshiji.

DR. MURLI MANOHAR JOSHI: Then he referred, 'The Act makes it explicit that if India conducts such tests, the nuclear cooperation will be terminated.' फिर आगे वे कहते हैं कि "Unfortunately, the Act is totally silent on the US working with India to move towards universal nuclear disarmament, but it eloquently covers all aspects of non-proliferation controls of US priority, into which they want to draw India into committing."

THE VICE-CHAIRMAN (PROF P.J. KURIEN): Your time is over. ...(*Interruptions*)...

DR. MURLI MANOHAR JOSHI: Then फिर आगे वे कहते हैं कि India's unending programme in nuclear will be ...(*Interruptions*)...

THE VICE-CHAIRMAN (PROF P.J. KURIEN): Your time was fifteen minutes. Now you have taken twenty-six minutes. ....(*Interruptions*)... Please wind up. ...(*Interruptions*)...

डा॰ मुरली मनोहर जोशी: वे इस बात को स्वीकार भी कर रहे हैं कि अगर यह समझौता आपने कर लिया, तो भारत का जो अनुसंधान है, भारत की जो प्रगति है इस मामले में, भारत अपने अनुसंधान के द्वारा जो आत्मनिर्भर बन रहा था, पिछले तीस वर्षों से हमारे वैज्ञानिकों ने जिस स्वायत्तता, जिस ऑटोनॉमी को बरकरार रखा था, वह प्रतिबंधित हो जाएगी। आपके यहां की जितनी जानकारी है, वह सारी जानकारी लेने के लिए अमेरिका अपने रास्ते निकाल लेगा। हमारा जो आज तक अनुसंधान किया गया है, उस पर भी एक तरह से पाइरेसी हो जाएगी, ये उनके खतरे हैं और मैं यह समझता हूं, मैं भी विज्ञान का एक विद्यार्थी हूं और बहुत सालों तक मैंने विज्ञान पढ़ाया है। मैं यह बहुत विनम्रता से कहना चाहता हूं कि अगर यह स्थिति आ गई, तो जो कुछ आज तक भारत की प्रतिष्ठा बनी है, भारत के वैज्ञानिकों के बारे में आज तक जो सम्मान है, वह सब नष्ट हो जाएगा। भारत ने जो शान से खड़े होने की, सम्प्रभुता को बचाए रखने की, पिछली तीस-चालीस सालों में स्थिति पैदा की थी, वह समाप्त हो जाएगी। भारत क्लाइंट स्टेट बनने की तरफ बढ़ जाएगा,

वह recipient बनता ही जा रहा है। मेरा बहुत विनम्रता से अनुरोध है कि देश की सुरक्षा के लिए, ऊर्जा की सुरक्षा के लिए, देश के विकास के लिए और देश की आत्म-निर्भता और सम्प्रभुता को बचाए रखने के लिए इस बारे में प्रधान मंत्री जी को स्पष्ट बताना चाहिए कि इन शर्तों पर, इय पैरामीटर पर भारत समझौते की बात नहीं करेगा। You must be very forthright and say कि अगर हमारी 18 जुलाई, 2005 की जो letter and spirit थी, अगर आप उससे बाहर तो रहे हैं, तो माफ कीजिए, हमें उस समझौते की जरूरत नहीं है। हम अपनी ऊर्जा पैदा कर लेंगे, दो साल के बदले चार साल में पैदा कर लेंगे, मेहनत करेंगे, देश को जगाएंगे कि देश के सामने ये परिस्थितियां हैं और अगर प्राधान मंत्री जी इस सवाल को लेकर देश के सामने जाएं और यह कहें के देश को आत्मनिर्भर बनाना है ऊर्जा के मामले में, अर्थ, के मामले में और अन्न के मामले में और हम किसी देश के सामने नहीं झुकेंगे, तो सारा देश उनकी मदद करेगा, हम उनकी मदद करेंगे, लेकिन जरूरत है कि आत्म-सम्मान के साथ खड़े हों, आत्म-निर्भरता के लिए खड़े हों, देश की रक्षा के लिए खड़े हों सम्प्रभुता के लिए खड़े हों।

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Hon. Members, there are ten more speakers. If you don't stick to the time limit, then the discussion will go on beyond 7.00 p.m. So, please stick to time limit. Shrimati Jaya Bachhan.

श्रीमती जया बच्चन (उत्तर प्रदेश): थैंक यू सर। आपने कहा है कि ज्यादा समय मत लगाइएगा, मैं कोशिश करूंगी। Sir, we heard so many great speakers here. so, I am going to (*Interruptions*)...

उपसभाध्यक्ष (श्री पी॰ जे॰ कुरियन): बोलिए...बोलिए।

श्रीमती जया बच्चन: थैंक यू, आपने इज़ाजत दे दी। Sir, I am not going into the details and technical details because they they have been spoken so many times and by great speakers before me.

I am going to tell you what the आम आदमी is saying, after reading what he is reading or after seeing he is seeing on the television or in the newspapers. Sir, we have been committed to the policy of Non Alignment since independence. There were two blocks, the Russians and the Americans. India was the leader of the non-aligned countries. But, after disintegration of the Russian block, it was the responsibility of India as the leader of the non-aligned countries to balance the unasked, unwanted and self-imposed supermacy of America. Instead, we are doing just the opposite. Today, all small countries of these non-aligned countries are disappointed and our non-aligned image is tarnished. Sir, the way we have

been functioning, I say 'the way' because were are supporting this Government from our side, it is very clear with the kind og policies that we are bringing to this House and to the country that we have forsaken socialism and policies of the welfare of the people.

Sir, since May 2004, for each and everything, foreign treaties are quoted and subservience to foreign directives has been the order of the day. All these are working against India's sovereignty. With regard to any treaty or proposed to be concluded with any foreign country, a full-scale discussion has to compulsorily take place in Parliament, and only after both Houses have given their approval, the treaty should come into force for implementation. But, I am afraid, in spite of it is not what the majority number is saying. I agree that the voice vote is very important. But, it is also very important to know what the Members are trying to say repeatedly by asking for discussion on every point. अक्सर देखा जाता है कि हम लोग कुछ शब्दों के गोलमाल में रह जाते हैं, बात छूट जाती है और हम सिलसिला आगे ले जाते है। । Sir, the moment this Indo-US nuclear deal comes into force, all information concerning our atomic plants, their research data, particulars of operation, production and their functioning and the waste from the atomic plants will be in the hands of the US. It will no longer be possible to maintain secrecy. The deal has been fomulated to prevent India from becoming a nuclear weapon State. These are very obvious things. But, I am talking about what the 'आम बादमी' is talking about and discussing.

Sir, as on date, the Government, at the Centre, has not answered the question as to what is compelling and what is so necessary for them to sacrifice India's sovereignty. I have a few questions. May I know why the Government of India is hiding from the people the truth that our Indian scientists have crossed the stage or Uranium-based atomic plants and are doing advanced research on generating electricity in much greater quantum through thorium technolocy. Other speakers have also spoken about this. But, I am asking again. The Indian scientists are engaged in plasma research too for setting up atomic plants which can bear the tremendous heat generated while producing electricity. Why is the Government going all the way to support the efforts of this and trying to prevent India from becoming a super power? What is India going to gain by throwing to the winds the policies nurtured with so much care from the time of Shri Jawaharlal Nehru. Sir, what is our compulsion? Our country,

which has been so rich, is still very rich in its resources. As has been stated, the growth rate is very goods, it is fantastic, and it is going to take our country very forward. We are going to be one of the richest and the wealthiest countries in every possible way. Then why are we getting into this Treaty? We are making the same mistake that was made generations ago. We allowed the British to come to this country, plunder this country, take all our goods away, and leave us back again struggling and trying to stand on our feet. I think we are repeating the same mistake.

Sir, I have been listening to a lot of people. Being an actor by profession, I do understand a lot about body language. The body language of our colleagues shows that they have realised that they have a slipped somewhere. (*Interruptions*) Comment later; hear me out.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please.

SHRIMATI JAYA BACHCHAN: I patiently listened to you while you all spoke.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Don't be distracted by them.

श्री जया बच्चन: मगर मुझे ऐसा लग रहा है कि वे महसूस कर रहे हैं कि उनसे चूक हो गई है, वे जान गए हैं कि आम आदमी इस विषय पर उनके साथ नहीं है और उन आम आदमियों में बहुत से लोग हैं, जो आज बोल चुके हैं, जो आम आदमी के representatives हैं।

श्री राजीव शुक्ल: क्या बात है...(**व्यवधान**)...

श्रीमती जया बच्चन: मैं शायरी तो बोल नहीं रही हूं...(**व्यवधान**)...सर, मैं राजीव शुल्क जी से एक बात कहना चाहती हूं कि आप बहुत disrupt करते हैं, आपकी वाहवाही मुझे पसंद नहीं है, आप हमें वाह-वाह न किया कीजिए...(**व्यवधान**)...

श्री राजीव शुक्ल: मैं तारीफ कर रहा हूं।

श्रीमती जया बच्चन: आपकी तारीफ मुझे नहीं चाहिए, मेरी तारीफ तो लोग करेंगे। आप इस हाउस में बैठकर वाह-वाह मत कीजिए ...(**व्यवधान**)...

प्रो॰ अलका क्षत्रिय (गुजरात): आप लोग भी बीच में बोलते हैं. ...(**व्यवधान**)...

THE VICE-CHAIRMAN (P.J. KURIEN): Alkaji, please. (*Interruptions*) Please. (*Interruptions*) प्लीज़ बोलने दीजिए, छोड़िए ...(**व्यवधान**)...

श्रीमती जया बच्चन: आप इनका आदेश मानिए ...(**व्यवधान**)... आपको हुकुमत करने की आदत हो गई है, जब देखो तब टिप्पणी ...(**व्यवधान**)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please continue and try to conclude.

श्रीमती जया बच्चन: महोदय, बच्चन जी की एक कविता है, जो मैं पूरी तो नहीं सुना पाउंगी, क्योंकि बहुत से लोग नहीं समझ पाएंगे। उत्तर प्रदेश में एक सड़क बन रही थी, कवि वहां गए, उस वक्त शास्त्री जी का देहांत हो चुका था। वहां जो कामाटी लोग काम कर रहे थे, उन्होंने उनसे जाकर कहा कि-

"माई, तुम्हें पता है कि प्रधानमंत्री नहीं रहे?
वह बोली-का बाबू?
वे बोले-प्राधानमंत्री नहीं रहे।
वह बोली-हमका नहीं मालूम, हमारा Contractor
बदलवाई दो, बहुत तंग करता है।"

आम आदमी की परेशानी यही है। आम आदमी को यह समझ में नहीं आ रहा है कि जब आज देश उन्नति की ओर जा रहा है, हमारे पास सभी तरह के साधन हैं, तो हम उनका इस्तेमाल क्यों नहीं कर रहे हैं और फिर से हम एक subjugation वाले level पर क्यों जा रहे हैं? विचार करिए, आम आदमी के बारे में सोचिए, आपका नारा है। धन्यवाद।

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Thank you, Shrimati Bachchan for adhering to the time. Thank you very much. Now, Shrimati Shobhana Bhartia.

SHRIMATI SHOBHANA BHARTIA (Nominated): Thank you, Sir. Sir, I welcome the progress that has been made in the civilian nuclear energy cooperation and in normalising the relationship between the United States of America and India.

Sir, the bill popularly known as the Hyde US-India Peaceful Atomic Energy Co-operation Act has received overwhelming vote and support from the House of U.S. representatives, and its unanimous passage in the Senate shows the over whelming support it has got and the bipartisan support that this move has received. I only wish, Sir, that we could have also extended similar bipartisan support to a move that will not only transform our relationship with the United States, but with majority of the developed world. And more importanatly, Sir, it will lay a strong foundation for our nuclear energy security.

श्री शाहिद सिद्दिकी: सर, राजीव शुक्ल डिस्टर्ब कर रहे हैं।

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Siddiquiji, please (*Interruptions*) You please continue; don't get distracted.

SHRIMATI SHOBHANA BHARTIA: Sir, the report of the Expert Committee on Integrated Energy Policy, which was also accepted by the National Development Council, points out that the per capita electricity consumption in India as of 2003 was 435 units. Sir, contrast this with the per capita electricity in countries like Brazil, where it is almost two thousand units; China, where it is one thousand units; Japan, where it is is eight thousand units; and the United States, where it is over thirteen thousand units. Sir, you will see from this report that it's a very stark table showing the challenges that the country confronts in terms of our energy security. It's nobody's case and I am not trying to say that nuclear energy alone will bridge that gap. In fact, we have a long way to go. But, Sir, it will be one of the very important components. besides, it is in the interest of every nation to have a healthy mix of energy sources. The running cost in inexpensive contrary to what certain Members have been saying in the House that the cost is very high. Sir, there are a number of reports and, in fact, my friend, Shri Sitaram Yechury, said that the running cost is very high. I can show several reports which show that the cost is comparable, if not cheaper. But, you have to take into account the carbon factor as well. The carbon factor is going to be a very important component in costing. If you look at that, it is carbon-free; it will not lead to global warming. Besides, as of today, we produce only 3,500 megawatts in the country which is very close to how much we generate from wind sources. If we have to achieve our target of 50,000 megawatts by the year 2020, then, we have to have this judicious mix. There is no way for us, but to augment our capacity.

Sir, I would like to compliment our scientists for the uphill task and for the tremendous progress that we have made on the nuclear from in spite of the US-led embargos for the past thirty years. But, Sir, if India has to take a leap forward, it is this deal that holds the key for us to access sensitive technologies, sensitive equipments in the field such as pharmaceutical, space, defence and you name i in any other field. Besides that, it will also allow us to join the mainstream of collaborative research and development, which is the mainstay of the global power industry. So far, India has been precluded from collaborative research and development.

Sir, critics of the US legislation have been quick to grab on to the non-binding declarative portions of the Bill. To my mind, they are missing the woods for the trees. Sir, to my mind, the most significant aspect of this Bill is that it seeks to provide a waiver to the US's own laws. It seeks to amend certain laws to give India a *de facto* status as a nuclear weapon State. Sir, as you know, only those countries that had tested nuclear weapons before 1st January, 1967 could be part of the NPT. The US cannot change that. You need all the 188 signatories to bring about any change. But they have done the next best thing which is to provide a set of waivers, thereby allowing India facilities which no other country has received.

Sir, under the US legislation, the US could not interact or could not have civil nuclear cooperation with any State, that had not signed the NPT, if it did not have full-scope safeguards in the nuclear installations, if it had --despite being classified as a non-nuclear weapon State--carried out nuclear explosions and if they were continuing to produce nuclear weapons. Under the Hyde Act, Sir, all these conditions have been waived for India. We are the sole exception. This has not been done for any other country in the world. It has not been done for Israel. It has not been done for Pakistan. So, we have to realise that this is only an indication of India's standing in the global arena and, therefore, we have this US legislation today in the form that we see it. Sir, critics also say that the need for annual certification has made this less than a permanent deal. Under pressure from India, the US Congress has changed this annual certification to assessment. But many critics are saying that it's one and the same thing. But, that is simply not true. Unlike certification, assessment does not impede on the continuation of cooperation. You will recall, in 1991, the lack of certification in the Pressler amendment, led to the termination of US's military cooperation with Pakistan. So, there is a world of difference. Taking our concerns into account, the US has amended this. Sir, the agreement so far, the Hyde Act, is an important step, but much remains to be done before both the countries pen the 123 Agreement. But, I am sure, looking at the way in which we have cooperated, this too will not be difficult. Sir, just two more minutes. There are two or three issues. Somebody mentioned that the US has said that we cannot reprocess the spent fuel. The US's position is well-known. But, I have to point out that they have not said that we cannot. They have remained silent on this. I believe, we have asked them for an exception for permanent entitlement which the US has granted

on a case-by-case basis to certain countries. So, I hope that the 123 agreement will be able to capture this. Also, Sir, given our experience with Tarapore in the 1980's fuel supply has been a major issue for us. So, the Prime Minister's March 7th statement has said that the US will help India create a strategic reserve of nuclear fuel. If despite this, there is a problem, then the US will jointly convene a group of friendly countries to try and restore fuel supply to India. I understand that section 103 of the Hyde Act, which is a statement of policy, speaks of a fuel reserve, commensurate with reasonable reactor operating requirements, whereas, a portion of seciton 102 expresses a sense of the Congress that the US should not encourage any exports to India by any other party. I understand that this clearly points, perhaps, to some sort of confusion. But the latter is meant to be non-binding on the former, and the Secretary of State, Condoleezza Rice has already told us that this infringes on the constitutional authority of the Congress. I hope this too gets resolved. Finally, Sir, after the agreement, the NSG is bound to give us the waiver. Some of the important countries like China, France and U.K. have already said that they are willing to start civil nuclear cooperation with India. Sir, it is not a US conspiracy, as many people allege, but it is a hand of friendship that is beign extended by the major powers of the world, and I think, India would be foolish if we were to do anything but to accept it. Thank you.

SHRI RAHUL BAJAJ (Maharashtra): Thank you, Mr. Vice-Chairman. We have heard a lot of speeches, and everybody has spoken in national interest. I also intend obviously to speak in national interest. But, there is a slight difference. Barring, maybe, a couple of persons, I could, at least, feel rightly or wrongly, that everybody has spoken, keeping inmind that the person concerned belongs to a party. So, a little partisan approach has come in either to support the deal or not to fully support the deal. We know we do not have to vote on this deal. It is not a Bill which is being brought before the House, but a discussion to get the feelings of the representatives of the people about this deal, about the vide Act. I literally do not want to repeat what other have said about Iranian imability to test, about thorium thing, about reprocessing thing, about our ability to get indefinitely uranium. These things can be argued, and ultimately, will be negotiated; especially, as Dr. Abhishek Manu Singhvi said about the binding thing in section 106 about testing is something we will negotiate for 123 agreement. If we do not succeed, we can get away from the deal, walk away from the deal. We are not bound to sign the deal. The question is,

the perception of the US Government about the deal definitely to me appears to be different from our perception about the deal. For us, it is a nuclear energy receiving deal, and that is what matters, apart from building our relationships, as my sister, Shrimati Shobhana Bhartia said, with the super power. Some do not want to build the realtionship, some want to build it. I am amongst those who would like to build that relationship. but the U.S. look at it primarily as a non-proliferaiton exercise. Go through the letter and spirit of the Hyde Act. Everywhere, it is non-proliferation. The first 5 clauses are non-proliferation clauses. Fine. They have a right to see that their needs are met, and we should reasonable try to see that their needs are met. But to get what we need in terms of energy, is the main issue. I am not getting into hydro electric, coal, clean coal technology and hydro electric power from Nepal. As of now, I would say, under the 5,000 megawatts, 10,000 megawatts, 20,000 megawatts in the next 5,10 or 20 years, figures were given by Dr. Abhishek Manu Singhvi, starting from 65 per cent of France to 20 per cent of Spain, we will have 5 per cent or 10 per cent. But, as an industry man, may I say, power at any cost in terms of price is better than no power at all. This country cannot grow at the rate of 10 per cent GDP growth rate a year if we are short of power. The villages of Maharashtra do not have power for 10 hours a day, 12 hours a day. Pune also does not get full power, we need power. The price does not matter. But, what matters is, we have to keep in mind two things. What price are we paying? We are talking of sovereignty; We are talking of national security. At what price are we going to get nuclear energy? Then, I have my questions. I don't know, ultimately, whether 123 Agreement is governed by the Hyde Act. I don't know. I do agree with Arunji. I don't think it is away from the Hyde Act. Abhishekji has said that nothing is written in law. It can change. They may change it. I don't know. But we must change it. There are certain things which I don't want to repeat about Iran. Talking of civil nuclear deal, what has it to do with Iran? I don't want Iran to be armed with nuclear weapons. I am not in favour of Iran as somebody has said. But I want the right to deal with that as I want two years down the line or five years down the line. Similar is the case with testing. Similar is the case with supply of uranium, reprocessing units of fissile material, etc., etc. I would request the hon. Prime Minister, through you, Sir--I have no doubt that he has the capability and the competence; I see our Foreign Secretary, Mr. Shivshankar Menon sitting there--to negotiate hard. As a businessman,

I have experience in negotiating with all kinds of foreigners, including the United States. They just don't give in. They dont's give in, whether it is WTO or whatever it be. They shoved your subsidy on agriculture. They just want what they want. We should be hard and say that on such and such things we shall not give in. Otherwise, we will walk away from the deal. If they give in on those things, I am in favour of this deal.

Finally, this is my impression. You know much more than I do. My friend talked about the US. The US needs this deal very badly, whether; it is to supply the technology, the equipment and material, the reactors worth 40 million dollars or whatever it be. They need it badly. That is one of the reasons for their thunderous approval but on their terms and not on our terms. So, they need it badly. If we walk away from the deal--I am not saying that you should--I am not sure in 6-12 months they well come back and in some way or the other sign the deal. Thank you.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Dr. Barun Mukherjee.

DR. BARUN MUKHERJEE (West Bengal): Thank you, Sir, for giving me this opportunity.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): You please conclude within five minutes.

DR. BARUN MUKHERJEE: Okay, Sir. I think we are discussing this very important issue in the backdrop of some recent international happenings. Very recently we have seen how America and President George W. Bush have acted in Iraq on some serious charges and making some serious allegations that Saddam Hussein is possessing a lot of Weapons of Mass Destruction. But those serious allegations have never been proved. In spite of many idependent inspections over Iraq, that could not be substantiated. Still on that plea, America under the Leadership of President Bush invaded Iraq and ruthlessly destroyed that country, that old civilisation. The whole world was looking with a Shocked feeling. We must keep it in mind before finalising any deal with America.

It appears that after the recent changes and amendments, the deal in the shape it finally comes will do more harm to our interests than give benefits to our country. It appears that there is an apprehension that we may have to compromise on many areas of our sovereignty or independent foreign policy. As we all know, India has a pride of place in the world being

the leader of non-aligned countries. But we are afraid that once we sign this deal with America, India may lose this priced position of the leader of non-aligned countries. There is an apprehension in the mind of the people that due to this deal there will be a lot of hurdles in the progress of India in the field of nuclear research. America will have free access to our resources and that may prove to be dangerous for our further development in the field of nuclear research. We need not finalise this deal in a hurry. We should think over it. Of course, a ray of hope is there. We are thankful that a very threadbare discussion has been allowed on this important issue. This issue was discussed once before in the Hosue and it is being discussed today also. There is a lot of scope for further discussion in the matter. I do join my other colleagues to say that we are for the national interest. We should be given more opportunities to discuss an issue of national interest in greater detail. We would like to have more opportunities to discuss this deal in detail before it is finalised. Thank you.

SHRI RAM JETHMALANI (Nominated): Sir, this matter is of great importance. It raises questions about our history so far as nuclear weapons are concerned; it raises some quesitons of international law; it raises some quesitons of American Constitutional Law and it also raises some quesitons relating to our own internal system. These complex issues, unfortunately, cannot be resolved by raising one's voice or by generating heat or by making menacing gestures. These have to be rationally considered. The first question which we have to ask ourselves is: When we entered into negotiations for this deal, against whom were we pitted? It is unfortunate that the impression is being given that we were pitted against the USA. No, the truth is that we were pitted against the rest of the world, minus four or five States. Practically, the whole world, minus four of five States, has signed the NPT. It is that policy of all these countires together which we have to contend with before we get the supplies which we want. Sir, we have, first of all, the group called the NSG. It is the London Club, as they call it. They started it in 1975. At the same time, we have the powerful Australia Group, another big group and the third is the Wassenaar Arrangement, as they call it. All these States are in a position to supply us things which we want. But they have created a regime under which we are disqualified from even buying it at their cost and at their settled prices. The quesitons is, today America has taken an initiative not only in joining us in solving our problem which is the problem which we face, as I said, against

practically the whole world, not only that the Americans are relaxing today in our favour, but the Americans have also agreed that they will induce all the nuclear supplier groups, all these nations, that they will join in relaxing their export requirements and their export laws and supply us what we badly want. Sir, there is, in this country, a long history of anti-Americanism, a part of which, at some time, was justified. The Americans have acted against our interests at some time. But that, fortunately, is a thing of the past. Sir, now, the first thing is our historical attitude to nuclear weapons. There is no doubt that those who were influenced by Mahatma Gandhi had permanently set their face against the production of nuclear weapons in this country Nehruji learnt at the feet of Mahatma Gandhi, and he too was vehemently opposed to the production of nuclear weapons in this country. But, Sir, after the Gandhian influence became a little weaker with the unfortunate death of Gandhiji, under the magnetic influence of Homi Bhabha,—the man was a towering personality, a towering scientist; he was a very pleasant mannered man—Nehruji reluctantly relented, and he allowed some kind of a rudimentary research to go on in this country. Bhabha was such a great scientist, and also the group that worked with him, and they, undoubtedly, produced the thorium technology, rudimentary, though it is, and not of a great magnitude, but it is all the same a very useful technology which India can make use of in a small scale, but not to the extent to which the other technologies work. So, we are grateful to our scientists. But, on the other hand, it is false to say, as has been repeatedly said by many people, that the scientific community today is against this deal. Most of the Scientists are not; some of the scientists are in favour of this deal. But, Sir, if I have today sat here for the whole day to make a 10 or 15 minutes' speech to you, it is because I am terribly provoked by one scientist, Mr. Gopalakrishnan, who, in the *Asian age* of the 14th December, and written an article which deserves to be commented upon and which deserves to be absolutely torn to the bits because if that kind of an impression goes around,...(*Interruptions*)

SHRI ARUN SHOURIE: Sir, I hear no objection from that side to the hon. Member naming a person who is not a Member of this House.

SHRI ANAND SHARMA: The rule is about not naming civil servants and Government officials. He is only quoting an article...(*Interruptions*)

SHRI ARUN SHOURIE: He has denounced all scientists....(*Interruptions*)

SHRI ANAND SHARMA: He is quoting an article. It is in the public domain....(*Interruptions*)

SHRI SITARAM YECHURY: I have requested Shri Ram Jethmalani to yield for a minute.

SHRI RAM JETHMALANI: I have yielded to him many times.

SHRI SITARAM YECHURY: Yes, we both are Rams, and there is one Ram there too, Jairam. Now, with no offence meant, I am requesting Shri Ram Jethmalani that the scientist, that he is naming, is one of the high priests of our nuclear scientists. Mr Ram has full authority and right; we respect that right, and we should grant him that right to attack an argument. But let us not bring in individuals because they have all contributed to our country's nuclear status. I would only request Mr. Ram to attack an argument.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): You speak about the article, not about the person.

SHRI RAM JETHMALANI: He says in this article that the leaders of the current Government, that is, our Prime Minister and his Cabinet, have never been supporters of India's weaponisation programme. Sir, he is right to that extent because we produced one bomb in 1974, ten years after China had exploded its bomb in 1964. After 24 years, in 1998, we produced one more bomb. So, Sir, our whole arsenal consists of two bombs which we have manufactured.

Sir, I don't know whether you consider this a very good achievement. Even the second bomb is followed by a voluntary moratorium on further tests. But, I want to remind the House of some very important facts. In the *Times of India* dated 9th June, 1996, this is what was said, "A nuclear scientist from our own establishment told the *Times of India* that since 1975, the developed countries have stopped giving us that vital technology, thus, affecting our nuclear power generation, which, at the moment, is pitiably low at 1700 megawatts". Sir, at the time when this article had appeared, and this statement was made, China had deepened the Indian frustration by conducting its 44th nuclear weapon test, exactly two days earlier, on June 7th, 1996. Now, Sir, again, after one year, *The Telegraph* of August 20, 1997, in an editorial, claimed that India's entire nuclear power programme deserves evisceration—Sir, it is a very strong word which really

means, destruction and elimination—because it cost the Earth, but provides us not even a dream, accounting for subsidies, land costs, financing and other costs, India's reactors have taken far more out of the economy than they have put in.

Sir, even to support my case, as an argument, I wish to exercise tremendous restraint because we cannot expose our weaknesses, to the whole world. Sir, take it from me, that our nuclear programme, and our nuclear energy programme was in an extremely bad shape and it is we who went to the United States and said, "Help us to get out of this difficulty"; it is not that the Americans were waiting there and they tried to come and conquer India economically and otherwise! This is an unfair criticism of a great democracy, which has committed mistakes in the past, but is now prepared to correct its mistakes. It has corrected its mistakes by declaring in this very Act two things; that India is a most responsible nuclear power, it is not a nuclear weapon State in the technical sense, but it possesses the nuclear capability; it has certainly a small nuclear arsenal, which way, perhaps, be good enough to face Pakistan, but certainly, is not big enough to face the combined unclear might of Pakistan and China if the two were to collage together in an armed aggression against India. Now, Sir, we go to the Americans and the Americans now; having realised, that the world democracies must come together, the world democracies must fight the forces of obscurantism, the forces of fundamentalism, the forces of totalitarianism together. Till now, I regret to say, that the American democracy often went wrong and for reasons of expediency which America should not have succumbed to, it entered into alliances with totalitarian powers of all kinds and went to the extent of supporting some of our real, real enemies who wanted to destroy us. But, Sir, it is a matter of great satisfaction that the Congress of the United States has now declared in the opening part of this legislation that India is a responsible power. It has never, misused its nuclear power and nuclear energy. It is not guilty of any international aggression, and it has a complete faith in supporting democracy and maintaining the democratic apparatus intact.

Sir, the enemies of this country see the advantages of this deal. The advantage of this deal is not merely that we will get nuclear supplies. The advantages of this deal are that today the mightiest democracy and the most populous democracy in the world have come together and they will put forth their strengths, moral, spiritual, financial, fiscal and economic for

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fighting the forces which seek to destroy civilisation in this country. Sir, I am not impressed by this talk of sovereignty. What would have happened, if all the oil-producing States said 'we are not going to give oil to India?' Sir, our economy will dwindle like this. It happened in 1973. They raised their prices and we suffered an economic setback. We would have to go with a begging bowl, with our head down and succumb to any kind of terms and conditions which they were to impose upon us, if that situation ever rose. Sir, nothing of the kind has arisen. Today, the most powerful democracy of the world says that India is a country worth cultivating, that its nuclear force, its nuclear energy will be for the good of the whole world. This is the recital in the Act, that this is going to be for the whole good of the entire humanity that India should become prosperous.

Sir, what is more than something more to be read into this Act, something more, that is, hereafter India and the United States shall cooperate in the economic field. Sir, those are advantages which any country would envy. So, our Prime Minister has not got merely supplies for producing nuclear energy in this country. He has won the support, and the ever-lasting support and friendship of America, a powerful country, and what is more, that powerful country has worked as our broker. They have undertaken that they will go round to all the nuclear suppliers of the world and they will see to it that they all relax their export control laws. Sir, this is the achievement. I think, Sir, Manmohan has been a great friend, but I have never been such a great admirer of his as I am today, becuase he has brought in the history of this country a total, total change of Foreign Policy of the two countries. The people may not acknowledge it, but I do; that today, democracies will stand together and fight all the totalitarian forces in the world.

Sir, my friend, Shahid is here, I have such great respect, and more than that affection for them all. He mentioned Iran. (*Time-bell*) Sir, I have whole of the the RJD's time, apart from my own time. Sir, they have assigned their whole time to me.

THE VICE-CHAIRMAN (PROF P.J. KURIEN): Fifteen minutes are over. Please conclude

SHRI RAM JETHMALANI: Sir, I won't take long. ...*(Interruptions)*... Sir, he mentioned Iran. Sir, India and Indians will ever remain the friends of the

Iranian people. Sir, we have historical ties with them, and Sir, these predate even the birth of Islam. With Iran, I have so much affection, Sir, my families have lived there; I myself have lived in Iran. But, today, if Iran proclaims that they will wipe off a member of the United Nations, a brother nation, with which we have friendly relations, from the map of the earth, Sir, let it not be denied, let us not elude ourselves that the whole Shia militancy in the world is concentrated on the Hizbul-Mujahideen of Iran. They are the most powerful terrorists of the world. They are breeding the terrorist movement. The Sunni movement is elsewhere. The Shia movement is Hizbul-Mujahideen. Sir, what are they doing today? ...*(Interruptions)*...

[MR. DEPUTY CHAIRMAN in the Chair]

SHRI SHAHID SIDDIQUI: That has no relevance. *(Interruptions)* What I had told was, today it may be in the interest of India to align with the U.S., but, tomorrow, it may not be. You cannot bind our foreign policy, which has come about for generations, because of this Act. That is what I am worried about. I am not putting up a case for Iran or against Iran. ...*(Interruptions)*...

SHRI RAM JETHMALANI: Thank you for enlightening me. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No, no. We do not have time for all these things. Please sit down, Mr. Shahid. ...*(Interruptions)*... Let us not go into all these, please. ...*(Interruptions)*... Mr. Ram Jethmalani, please conclude. You said you are taking RJD's time. Your time was just two minutes and the time of RJD's was five minutes. Totally, it was only seven minutes.

SHRI RAM JETHMALANI: Sir, five more minutes. ...*(Interruptions)*... Kindly see this.

MR. DEPUTY CHAIRMAN: Please conclude, we have time constraint.

SHRI RAM JETHMALANI: Sir, this is the reference in this Act and kindly see this. This is in the Expectation Clause of the American Congress. This is clause (d) on page 3 of this Act which says, "Such cooperation between America and India will induce the country", that is, India, "to give greater political and material support to the achievement of the U.S." global and regional non-proliferation objectives, especially with regard to dissuading, isolating and, if necessary, sanctioning and containing States that sponsor terrorism and terrorist groups that are seeking to acquire

nuclear weapons capability or other weapons of mass destruction capability and means to deliver such weapons." And, Sir, this has to be read with 15(g) and 8(iv). It is in this context that so long as Iran continues to pursue these policies, we will cooperate with them but if and when Iran becomes the real Iran ...*(Interruptions)*... This is one of the points ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Mr. Shahid is not in the Chair. ...*(Interruptions)*...

श्री शाहिदी सिद्दिकी: सर ...(**व्यवधान**)...

श्री उपसभापति: आप बैठिए। आप बोल चुके हैं। उनकी बात वे रखेंगे, आपकी बात आपने रखी है, आप बैठिए। ...(**व्यवधान**)... Nothing will go on record. Please sit down Nothing will go on record. ...*(Interruptions)*...

श्री अबू आसिम आज़मी: *

उपसभापति: आप बैठिए। Please sit down. आप क्या बात कर रहे हैं? आप बैठिए। कुछ रिकार्ड में नहीं जाएगा। ...(**व्यवधान**)... आप बैठिए अभी।

श्री वीरेन्द्र भाटिया (उत्तर प्रदेश): *

SHRI RAM JETHMALANI: Sir, two-three principles. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Please conclude, we have to conclude the debate.

SHRI RAM JETHMALANI: I thought you gave me five minutes, out of which I have used only one minute! I have four more.

Sir, another principle which we must bear in mind, and which is a fundamental principle of international law, is, treaties cease to be binding under vital change of circumstances. If for example, tomorrow, North Korea, China, Pakistan, all plan an aggressive war against India, we are entitled to say that all our obligations under this treaty come to an end. This is a fundamental principle of international law which underlines all treaties.

Third, under American Constitutional law, America is unique in this respect, any treaty overrides domestic law. This is not the position in any other country of the world except America. Once the 123 agreement, which

*Not recorded.

is a treaty between the U.S. and India, is entered into, with an open eye, after negotiations and after getting rid of our objections and so on, that treaty under the American law, overrides all domestic laws. Now this is something about which my friend Arun Shourie will do research. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No please, because there is no time for all this. ...*(Interruptions)*...

SHRI RAM JETHMALANI: Lastly, Sir, I want to say this that particularly this article of 14th July attacks my Prime Minister and his Government of not trying to do good to the country. But it says that you are interested in raising the revenues of some Indian and American companies, to add to their earnings and their incomes. Sir, this is the most malicious attack that a scientist could mount upon my Government, upon my Prime Minister. At least, he is one person who should not ever be consulted again even if you want to consult all the scientists of the world. This is what self-respect requires. ...*(Interruptions)*...

SHRI SHAHID SIDDIQUI: We should respect our scientists. ...*(Interruptions)*... Do not add motives to it. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Mr. Siddiqui, please do not interfere into everything. ...*(Interruptions)*... Please do not interrupt in everything. ...*(Interruptions)*...He will put his point of view. आपकी बात वे नहीं रखेंगे न! Please sit down. ...*(Interruptions)*...

SHRI RAM JETHMALANI: Sir, I will take one more minute and I will finish. ...*(Interruptions)*... Let me just enumerate in one minute and I will finish. Let me just enumerate in one minute the catalogue of advantages. First, I have said that the two democracies have now come together. Second, our pitiable record of energy production—3 per cent and France 75 per cent nuclear energy, and look at other counties, that will come to an end. (*Time-bell*). Our current weapons performance and programme is totally free from any external inspection or obstruction. Fourth, there will be economic cooperation in other fields between the two countries. Five, the Americans have pledged that they will go on pressuring Pakistan and China, and India, at the same time, to abandon nuclear their nuclear weapons and convert the Indian Ocean into a nuclear free zone. These are the advantages of which we must be proud and we must pay our respectful homage to the Prime Minister and his Government. Thank you.

MR. DEPUTY CHAIRMAN: I request all the speakers to be brief because at 6.20, we have to start the reply. Shri Pasha. Please be brief.

SHRI SYED AZEEZ PASHA (Andhra Pradesh): Sir, I am always brief.

MR. DEPUTY CHAIRMAN: I am reminding the next speakers.

SHRI SYED AZEEZ PASHA: Mr. Deputy Chairman, Sir, an independent foreign policy is the cornerstone of our nationally accepted foreign policy. Last time, when we were discussing the Indo-US nuclear deal, our hon. Prime Minister sat patiently for seven hours and heard the discussion. While concluding, he gave a very spirited 70-minute speech. While speaking, he assured this House and the entire nation that the basic interests of the nation would not be compromised. But we are sorry to say that after seeing the developments since then, are we going to compromise on certain issues? The Hyde Act, the US law, has come into being. They discussed thoroughly and threadbare before enacting this legislation and they fixed up certain boundaries. But the predictors say that all those conditionalties, which are stipulated by them, are not acceptable. We are now bound further. But we are coming to a *failt accompli* and unfortunately, the Parliament is not being taken into confidence. I forcefully urge upon all that when important international treaties and agreements have to be finalised, the ratification by the Parliament should be indispensable. Therefore, we have to amend the Constitution accordingly. Secondly, last time the Prime Minister assured after seeing the statement of several prominent nuclear scientists, "I am going to call them and I will clarify the doubts." But we do not know after the meeting what were the apprehensions and what were the replies given to them. Because they are the persons who are very closely associated with the nuclear science. Thirdly, we are having very huge reserves of thorium and whether we are going to continue with the research or not, we are still unaware because it is one of the cheap sources of energy we are having at our disposal. Then, on the Iranian issue, last time while I was speaking I said that we have to have the other options of energy resources like hydraulic, gas or solar energy and here we are having a friend who are ready to supply gas at a very cheaper rate. But after that, I don't know whether the entire gas pipeline project is shelved or still we are continuing with or not, we don't know. Then, with regard to the Security Council, we were very much reluctant and vacillating to support the Membership of Venezuela. Only at the last

minute we supported that country. That country is having a very huge oil reserve and Venezuela has supplied crude oil to its own friendly countries at cheaper rates. So, we should have an option to have such a good friend. Lastly, there is one glaring example of how our foreign policy is getting deviated. Al Zazeera, which is a very prominent channel, I think, we are putting restrictions upon it, that is giving a lot of news and it is going to the entire Arab world. So, is it at the behest of Israel or America? We do not know. So, that is why we say that we should have an independent Foreign Policy, which should be acceptable to all, and I once again request the Government and particularly, the hon. Prime Minister to take the entire Parliament into confidence. Thank you.

MR. DEPUTY CHAIRMAN: Shri Abani Roy.

SHRI ABANI ROY (West Bengal): I thank you, Sir; probably I would be the last speaker.

MR. DEPUTY CHAIRMAN: No, last but one, so you must leave some time for the last speaker also.

श्री अबनि राय: सर, आज जिस विषय पर सदन में चर्चा हो रही है, हम सुन चुके हैं कि उसकी डील तो पहले ही हो चुकी है और अब तो खाली उस पर दस्तखत होने बाकी हैं। लेकिन दुनिया में यह कहा जाता है कि हमारा देश भारत सबसे बड़ी जनवादी व्यवस्था का देश है। सबसे बड़ी जनवादी व्यवस्था का देश होने के बावजूद, हमें यहां पर चर्चा करने के लिए समय बहुत कम दिया जाता है। यह एक ऐसा विषय है, जिस पर भारत की सार्वभौमिकता, भारत के हित की बात, देश की बात, हम लोग तय करेंगे और हमें ऐसा दिखाई दे रहा है कि हमारे देश के बारे में किसी महान व्यक्ति ने कहा है कि हमारे यहां का स्लोगन तो 'भारत महान है', लेकिन हमें थोड़ा-थोड़ा मालूम हो रहा है कि अमेरिका महान है क्योंकि वह हमको बहुत कुछ देने के लिए एकदम तैयार हो गया है। वह हमारे देश को आगे बढ़ाने के लिए और विकास के लिए तैयार हो गया है। जब भी ऐसी बात हमारे ऐसे देश में होती है तो संसद के अंदर उसकी चर्चा नहीं हो जाती है, चाहे वह WTO का मामला हो या चाहे कोई दूसरा मामला हो, उसकी डील हो जाती है और सिग्नेचर हो जाते हैं। फिर उसके बाद हम उस पर यहां चर्चा करते हैं, फिर हमें उससे दूर भागने का कोई रास्ता नहीं मिलता है, यह बहुत दुख की बात है। इसमें भी ऐसी बात है कि जब से हम सभी लोगों ने, पूरे लेफ्ट के साथ सदन के बाकी दलों ने इसके बारे में जब बार-बार कहा तो सदन के अंदर हमारे देश के प्रधान मंत्री ने आश्वासन दिया और कहा था कि हम इससे बाहर नहीं जाएंगे, लेकिन आज यहां हमारे एक साथी ने उस बात को उठाया है और उसको क्लॉज बाई क्लॉज उठाया है और यह भी बताया है कि यह कहां-कहां हुआ है। अगर यह बात सही है तो हम उनसे बंट गए हैं, तो क्या इसके बावजूद भी भारत

के हित में हम वहां दस्तखत करेंगे या नहीं या हम सीधे होकर खड़े हो सकते हैं कि भारत की जनता इसको नहीं चाहती है। हमारी संसद में चर्चा हुई है और संसद इसको मंजूर नहीं करती है। हम इस पर दस्तखत नहीं करेंगे। यह बात हमारे देश के प्रधान मंत्री की तरफ से होनी चाहिए। यह बात उनके बयान के अनुसार ठीक नहीं है। मैं मानता हूं कि इसी जगह पर उन्हें firmly खड़े होना चाहिए और इसको कहना चाहिए, क्योंकि इतनी बड़ी जनसंख्या का देश, इतनी बड़ी ज़नवादी व्यवस्था का जो देश है, उसके हित की बातें जो कहते हैं, जिन्होंने स्लोगन दिया है – ''भारत महान'', अब उस महान भारत के जो महान प्रधानमंत्री जी हैं, वे इस बारे में सोचें कि हमें इस बारे में क्या करना चाहिए।

उपसभापति महोदय, दूसरी बात यह है कि मैं मानता हूं कि कुछ चीजों पर खाली राजनीतिक फैसला नहीं होना चाहिए। यह एक ऐसी चीज है, जहां पर हमारे वैज्ञानिक और तकनीकी क्षेत्र के लोगों की राय ली जानी चाहिए। आज atomic energy के लोग बार-बार बयान देते हैं, आज ऐसे वैज्ञानिकों की बात सुनने का अवसर हमारे पास नहीं है। हमें इनके साथ बैठकर विचार करना चाहिए कि ऐसा करना ठीक है या नहीं। हमारे देश में विकास करने के लिए ऊर्जा चाहिए, हम ऊर्जा की तैयारी कर सकते हैं या नहीं, इस बारे में हमें उन वैज्ञानिकों से बात करनी चाहिए, लेकिन हमने ऐसा नहीं किया। हम एक political decision ले रहे हैं और इस deal के बाद वहां की जो पुरानी तकनीकें हैं, वहां की दी हुई चीजें हैं, वे हमारे देश के लिए क्या ऊर्जा देंगी, यह कहना मुश्किल बात है। ऐसी स्थिति में जब हमारे देश के विकास के लिए ऊर्जा आवश्यक है, उस समय हम यह सोचें कि हमारे देश में हम इसको पैदा कर सकते हैं या नहीं? हमारे देश में जो वैज्ञानिक हैं, जो तकनीकें हैं, जो थोरियम है, उसके साथ हम इस क्षेत्र में आगे बढ़ सकते हैं या नहीं? हर चीज में हम जैसे अमरीका के सामने घुटने टेक रहे हैं।

मैं अपने दोस्तों और जिस सरकार का समर्थन करता हूं, UPA सरकार का सबसे बड़ा जो दल है, वह कांग्रेस है। कांग्रेस के लोग बहुत बड़ाई के साथ बात करते हैं कि देश की आजादी हम लाए। अगर देश की आजादी आप लाए, यह बात आपके मन में है, अगर आप उसी कांग्रेस की परंपरा को follow करते हैं, तो मैं यह कह रहा हूं कि आपको किसी साम्राज्यवादी देश के सामने घुटने टेकने की आवश्यकता नहीं है, आप अपने बल पर खड़े होइए, अपने पैरों पर खड़े होइए, देश को महान बनाइए, तभी जाकर कुछ काम होगा, नहीं तो आजादी के नाम पर आप जो लाए हैं, वह बरबादी का रूप ले लेगा और देश फिर दोबारा गुलाम हो जाएगा। इसीलिए मैं कांग्रेस के दोस्तों से कह रहा हूं कि आप फिर सोचें कि आप अमरीका के सामने घुटने टेकोगे या भारत को महान बनाओगे। यह बात कहते हुए मैं आपसे दरख्वास्त करूंगा कि यदि इस deal से बाहर रहें तो अच्छा है। धन्यवाद।

SHRI ARJUN KUMAR SENGUPTA (West Bengal): Sir, at this fag end of the discussion, today, I just want to summarise the points to which the

hon. External Affairs Minister finally respond. Everbody is eagerly waiting for this. I thought that the hon. Prime Minister would also be here. But, let me just try to summarise the main concerns that this House has expressed which, I think, also summarises the main concerns of the people in general.

The first point is this. It is not quite relevant for us what the American Legislatures have felt or are motivated and what they are going to do. Mr. Shourie is very worried about them. I am glad that at this stage of his life he has been very critical about the American attitude to the global situation. But, on this particular issue, what is relevant is whether, and this is what we would like to hear from the hon. External Affairs Minister, it prevents the 123 Agreement to be reached by us, because this particular law has been enacted. We want some kind of a clear enunciation of this point. If it does, we shall not agree, which is very clear and that has been mentioned by the hon. Prime Minister. And, if this agreement fails, and if we do not agree with it, then, both India and the US will suffer. For India, we go back to where we are, and that would be quite a loss. I agree with Shobhanaji, not entirely but in terms of the total benefit that was to be got. But for the United States, there can be a very substantial loss, whether there are motives of hundred million dollars investment coming from there or not, I do not know because I am told that the American nuclear technology is far behind the French and other technologies. So, there is no reason to believe that we are going to buy all the equipments from the Americans. But whatever that may be, there would be a loss for the Americans. And, this is the reason why there would be *prima facie* for having optimism that probably they will not oppose 123. But the point here is that if we do not agree, we don't lose much. We stand where we are. We are not going to get into any worst position.

Sir, my second point is this. Under the 'separation programme' eight reactors are for defence. The country would like to know whether in all these discussions of the American Senate, anything is there which will prevent us from carrying our activities in those eight reactors. I do not see any clauses there. I think, the Minister may like to consider this that we can still do whatever we are doing in these eight reactors. We can add to those reactors. In fact, we can use all the uranium, we have, in those reactors to produce more bombs. In fact, Arun Shourieji has given a number, which is very interesting. He talks about, we all know the number of 78,000

tonnes of local uranium, which we have, is correct. But he says that it will be possible for India to make 2,000 bombs from that. I was quite huddled. *(Interruptions)*

SHRI ARUN SHOURIE: With a very small proportion.

SHRI ARJUN KUMAR SENGUPTA: Well, If we can make 2,000 bombs, then, it is more than enough. More than enough. I do not want any more. I would like the Minister to say that if this is the case, if we can maintain our eight reactors, we can do whatever we have been doing up till now. Then, there is no problem. The country would like to have some kind of assurance on that.

On 'energy security' — my friend Sitaramji, is not here — there is a point here that the nuclear power is not going to be the only source of energy. That's true. there are many other sources of energy. Arunji was very right that there are plenty of possibilities of using hydel energy. In fact, yesterday's newspaper says that we have discovered gas fields. There are many other position on that. But that does not prevent us from looking for other sources of energy, particularly because, and this is the point I would like to stress here, there was a number that was given here, quoting about the cost of electricity. Arun Shourieji is an economist, he would appreciate this thing. The argument is not whether we can make electricity out of that or not, but the argument is whether we can make electricity cost-effective. The arithmetic that we have got, this is not my arithmetic, Shri Gopalakrishnan, whom Shri Ram Jethmalani does not like, but Shri Srinivasan and others have been in these numbers that the cost of Indian uranium is eight times more than the internationally imported uranium. And, there is also another point that if we use that uranium in absolutely the first-ranking technology and equipment — Rahul Bajajji has left — then, there are numbers saying that electricity can be generated by the nuclear power. The new nuclear power is imported uranium at a cost almost equal, if not less, to the hydel power. This is a point on which I can go on discussing deliberately. But this has been established. If this is the case, then, the question is whether the security is different. We have many different sources of energy security. But this is one security if we can have without, of course, at the cost of our sovereignty and at the cost of other things, which I am quite sure, the hon. Minister will assure. There is no doubt that we will need more energy. And I agree that this is not the only

reason and one should not make this the only reason why we should go for that. But, this is the major reason which if we can do, it would be very good for us.

Then, Sir, there are three points on which the House was very agitated, and I am quite sure, the hon. Minister will be able to assure us, namely, no right to reprocess the U.S. fuel. I think, Shri Abhishekji correctly pointed out that with U.S. fuel we would not be able to do it. But does it prevents from reprocessing any other source of fuel? As a matter of fact, — and, I think, Shri Jaswant Singhji knows, it very well — the agreements that we have signed with the Russians in South India are for thousand mega watt reactors. Russians have allowed us. They told us that you can reprocess it whichever way you like. We are not getting into this. Only Tarapore created problem for us. We understand that. But will it mean that if we sign this treaty, we will not be able to reprocess any other fuel? There is, absolutely no reason why we should get fuel only from the U.S. Actually, we should not. We should import fuel from Africa. We can import fuel from other countries.

Then, there is the point regarding no transfer of equipment for reprocessing and enrichment. This is true. The U.S. would not allow us to do that. But, I have read Shri Srinivasan saying, again and again, that we do not need any reprocessing technology. We have enough reprocessing technology. We can do it. What they have worded is there should be no prevention imposed on us for doing any kind of reprocessing. We would like to hear if this is reiterated.

The third point is regarding stockpiling. Now, this is a point which is, sufficiently, clear from the Prime Minister's statement. But it would be useful if it is, categorically, stated again that, on stockpiling, if we stockpile fuel from other sources, there would be nothing against that. It has not been agreed to, this is some point on which we may have to do some negotiation.

The final point is about nuke testing. Sir, I would like to submit that I am very much against testing. It is the same reason why we do not want to be a competitve nuclear power. If we have enough resources to have 2000 bombs, this is more than enough. In fact, there is, absolutely, no reason for us to add to the stockpile of this nuclear weapons. We have the ability to do some testing at sub-critical level. That has been allowed. That can

be continued. We can do that. But, Sir, what I want to point out to the whole House, again and again, is that even if we do not want to test, whether it is because Shri Vajpayeeji saying that I personally feel we should not do it — Shri Sitaram Yechuryji would agree with me — but, we would not like to surrender our sovereignty to test it if we feel it necessary.

My only point, Sir, here is, if certain extraordinary circumstances arise, like China doing some special activities in this or some kind of a new situation emerging. I do not think, the United States will be very much against it, if we can show that some testing is really necessary for ascertaining our nuclear capability. But this is a point which is a touching point and, I think, some answer to that would be coming forward.

Finally, and this is my last point. I want to put it becuase this has been mentioned again and again, but I have no doubt about it. Some kind of a categorical statement should be made that issues like Iran will not deflect us from our point of view and our foreign policy position. This has been mentioned, again and again, by the Prime Minister. The House keeps on talking about it again and again. So, I think, a clear statement on that would go a long way to settle this problem. Sir, I felt, on the basis of all these discussions, these are the main issues that are bothering the House and also the country at large. I think, all these can be very well responded to by both the Prime Minister and the External Affairs Minister.

THE MINISTER OF EXTERNAL AFFAIRS (SHRI PRANAB MUKHERJEE): Mr. Deputy Chairman, Sir, before I start my observations, I would like to inform the House that the Prime Minister had the intention of intervening, but because of his tooth problem, he cannot speak. That is why what he wanted to assure the House about convey to the House, on his behalf, I will do so. But he has taken the trouble, despite physical illeness, to spend a large part of his time to listen to the debate in the House.

Mr. Deputy Chairman, Sir, at the very outset, I would like to express my gratitude to all the Members who have participated in this discussion and made very valuable contributions. I have been associated with this House for so long that I became almost a fixture of this House, from the late 60's till the last Lok Sabha elections. According to my experiences, any Parliamentary debate, and, especially, in this House, and also today's debate, despite some interruptions, speaks of the high traditions of the

House. Members, while making their contributions, demonstrated their knowledge, their appreciation of the situation, and their information; I congratulate them. It is not necessary for me or for anybody to agree with every view which is expressed on the floor of the House because divergence and dissension is the essence of democracy, which we have followed and which we have cherished. I think this would be the fifth discussion which we have had. Some hon. Members, perhaps, in over-enthusiasm, stated that Praliament was not taken into confidence. It is not correct, because the whole process began with the joint statement of Prime Minister, Dr. Manmohan Singh and President Bush on 18th July, 2005. After that, there have been four occasions—in July, 2005, February 27, 2006, March 7, 2006, and August 17, 2006, and before the end of the year 2006, on 19th of December, 2006, we are having discussions for the fifth time. If anybody can correct me, I will appreciate, but I don't think that on any one subject, or title, so much debate and discussions have taken place in every one of it which Prime Minister himself has participated. It is true. It is the constitutional provision and neither you nor me have the mandate to change the Constitution. If I remember correctly, one election in this country was fought on the basis of a mandate of change the Constitution. That was in 1971 when the executive came into confrontation with the judiciary and one important judicial pronouncement put restrictions on the amending procedures of Parliament in Golaknath's case. Before that, the Lok Sabha was dissolved. In that election, one of the major issues was that the then Prime Minister sought the mandate of the people that "I would like to amend the Constitution for a social legislation, for a social purpose. I do not have the majority. Two-thirds majority is required." And, on that basis, she got a massive mandate. The Twenty-fourth amendment of the Constitution took place for the first time in article 368. The constituent power of the Parliament was institutionalised. Therefore, it cannot be just on the desire of somebody that you amend the Constitution. But short of that. short of having ratification by the Parliament at all important stages, the Executive takes the matter to the Houses and seeks the advice and guidance from the Houses. That has been the practice in the pat and this practice is followed even now.

Sir, let me start by saying that I was listening to the entire debate since one o'clock and sometimes, I though that I was not in the Upper House of the Indian Parliament, but in one of the chambers of Congress in the United

States of America, because we were discussing the Hyde Act. While making a *suo motu* statement, I had mentioned that this has some relevance but not all. Now, what is the relevance of the Act? To my mind, this is a matter between the US Executive and the US Legislature; When the Executive decided upon having cooperation with India on a civil nuclear deal, they knew very well that the 1954 Act stood in the way, and unless the Executive got some waiver from that Legislation, it could not extend civilian nuclear cooperation to India, becuase India had tested nuclear devices, all its nuclear installations were not fully under the safeguards of IAEA, and it had nuclear weapons. Therefore, in these three areas, waivers were required for the Administration to negotiate with India in respect of civilian nuclear cooperation. This is an enabling legislation, to enable the US Administration to have negotiation with us, and those negotiations will, of course, take place;

I am not going into the details of the US procedures and US systems. There are Constitutional experts here; they know about it much better than me. But one clarification was sought, I think by Dr. Bimal Jalan, and he had raised an issue pertaining to Section 103 of the US law. He asked whether there was any precedent where the US President, despite the intention of the Legislature, the sense of the House, and the US Policy, enacted a law or entered into an agreement where the intent was not complied with. And this was in the case of China—Normal Trade Relations with People's Republic of China Public Order 106-286/October 10, 2000. This is one precedent; there are other precedents also. and if you look at it, exactly in the identical language, "Human rights have been violated by China in Tibet". Manufactured goods have been produced with the help of bonded and imprisoned labour". Therefore, US Congress advised the Administration to ensure that these things did not happen. But the US Administration had no way of ensuring this and, therefore, it remained as a desire. Section 103 of the Act, Section 103 of the Act, sense of the House, statements of policies are being articulated every year. Dr. Alexander has very clearly explained the constitutional position and the relation *vis-a-vis* the US Administration and the US Congress. I would not like to go into the details of it. But, surely, Mr. Deputy Chairman, Sir, I would like to make a general observation. The question comes: Who is to interpret the US legislation, its effectiveness and its binding nature? Me; the Indian Parliament, or the person who is directly concerned, the US President? I would just like to quote a few lines from the statement of President, Bush

after signing this Agreement with reference to some of the provisions of the Hyde Act. I quote, "Today I have signed into law H.R. 5682 an Act containing the Henry J. Hyde United States-India Peaceful Atomic Energy Cooperation Act of 2006. The Act will strengthen the strategic relationship between the United States and India and deliver valuable benefits to both nations. Section 103 of the Act purports to establish US policy with respect to various international affairs matters. My approval of the Act does not constitute my adoption of the Statements of Policy as United States foreign policy. Given the constitution's commitment to the Presidency of the authority to conduct the nation's foreign affairs, the Executive Branch shall construe such policy statements as advisary. Also, if Section 104 (d) (2) of the Act was construed to prohibit the Executive Branch from transferring or approving the transfer of an item to India contrary to Nuclear Suppliers Group Transfer Guidelines that they may be in effect at the time of such future transfer, a serious question would exist as to whether the provision constitutionally delegated legislative power to an international body." That is the interpretation of the person who is instructed by the law to implement the Act. That is the rational with which the Prime Minister assured the House yesterday, despite knowing the extraneous and prescriptive provisions, not all but some, of the Hyde Act. What Prime Minister said yesterday? I can just quote a few lines as he is unable to speak. I quote, "We appreciate the efforts made by the US Administration and the bipartisan support of the US Congress which has led to the passage of this legislation. This law has several positive features which take into account our concerns. However, there are areas which continue to be a cause for concern and we will need to discuss them with the US Administration before the bilateral Cooperation Agreement can be finalised." The House can rest assured that in these negotiations, the commitments and assurance I gave—I mean the Prime Minister gave—to the Parliament on August 17, 2006, will constitute our guideliness. "The passage of the legislation enables the US administration to follow up an another commitment made by the US in the July 18 Joint Statement, that is, approaching its international partners, particularly in the NSG, to lift restrictions, to allow full civil nuclear cooperation with India. We will seek to ensure that the NSG takes action to permit full civil nuclear cooperation with India in terms acceptable to us". Many other paragraphs are there. The toal contention, the moot contention, of the assurance is that the Prime Minister stands, committed, the Government of India stands committed to the Joint Statement of

18 July 2005, to the Separation Plan of 2nd March, 2006 and to the assurances which the Prime Minister gave to this very House on 17th August, 2006, which are being repeated and reiterated by me right now.

Mr. Deputy Chairman, Sir, a number of issues have been raised. I will try to address some of these issues, because quite a number of other issues that have been raised here are extraneous. I am not going into the issues which, to my mind, are extraneous to this debate, like, some American businessmen or some Indian businessmen entering into an arrangement among themselves to do business. Keeping that in view, this whole arrangement is being done. Now, let us come to the tests and non-proliferation. I have no hesitation to say, yes, I belong to the party which does not believe in the Non-Proliferation Treaty. Yes, we do believe that nuclear non-proliferation is absolutely necessary for the very existence of civilisation. Becuase of this very fact, Mr. Deputy Chairman, Sir, from 1974, after the first explosion in Pokharan, repeatedly we refused to sign the NPT. Why? When the whole world-signed—Ram Jethmalani has correctly pointed out, except three or four countries, the whole world signed—we refused. Because we alwasys considered that for NPT was a flawed treaty. It is discriminatory. It is creating a class where the Nuclear Weapon States would have the right of stockpiling, of making experiments, horizontally and vertically, while the Non Nuclear Weapon States will not have that right. So we refused to accept this discriminatory treatment. What was the message which Mr. Rajiv Gandhi, the then Prime Minister—and my colleague, Mr. Natwar Singh, who is present here, was the Minister at that time—conveyed to the International Community in the Disarmament Conference of the United Nations? In plain, simple language it was that we are on the threshold, we are a screwdriver's turn away from the manufacturing of weapons. But still, we would desire to continue to be at the threshold level. We would keep our options open. All along, we use the phrase that India will keep its option open. We will not foreclose the option. I would not graduate to a nuclear weapon state, provided the Nuclear Weapon States, agreed to a definitive time-frame for nuclear disarmament that was the stand; good, bad, or indifferent too. Even this year, we have presented a paper to the United Nations. But I am really, Mr. Deputy Chairman, Sir, at a loss to understand the logic of the spokesman of the party that indulged in closing the option, going for the test in the month of May, 1998. You came to power in March, 1998. Surely, in two months, you were not

competent enough to start from zero. Everything was ready. That is why you could take the advantage of going for our explosion in May, 1998. Then what had prompted you to declare a unilateral moratorium? What had prompted you not only to declare a unilateral moratorium here but also to reiterate it? Mr. Jaswant Singh wanted to have the documents. Mr. Deputy Chairman, Sir, I have some documents. This is the text of the speech of Mr. Atal Bihari Vajpayee delivered in the United Nations General Assembly on 24th September, 1998. And there too you did not say that you would not go for disarmament; you would not go for non-proliferation. What did you say? "These tests do not signal a dilution of India's commitment to the pursuit of global nuclear disarmament." You retained that policy. And what did you say? Thereafter, you went one step ahead and said, "I am ready to sign. Instead of reading the paragraph, I am quoting the paragraph. The Sl. No. of the paragraph is 16. Your speech was on 22nd September, 1999 where you also quoted the Prime Minister's speech and stated:

"Last year, my Prime Minister declared in this Assembly that India was engaged in discussions on a range of issues including the CTBT. These discussions are in process and will be resumed by the newly elected Government. Our position remains consistent. We remain ready to bring—thereafter you came to power—these discussions to a successful conclusion. Naturally, this requries the creation of a positive environment as we work towards creating the widest possible consensus domestically."

Fine. There is no problem with it. Therefore, the short question, which comes to my mind, is this. Truly, you were talking that you would not have the opportunity of testing. What did we say? What did the Prime Minister say? What is in the Separation Plan? We are not accepting any additional commitment. We are just sticking to the voluntary moratorium which we declared. We are not going to accept any Treaty-bound commitment. We are not going to accept it as part of the Treaty which we will sign, because we would like to keep our options open. If situation demands, if the national priority demands, if the superior national interests require, we may have to do that. That will be left to the wisdom of the decision-making authority at that point of time. But we would not like to foreclose the option. We have just exactly retained that commitment which you agreed to, which you did. But we are ensuring that it will not be a Treaty-bound commitment. The Prime Minister stated that it was a

7.00 P.M.

hard negotiation. No denial of the fact. The realy task to my mind, Mr. Deputy Chairman, Sir, the real negotiations, will start now, because we shall have to enter into the 123 Agreement. Of course, the 123 Agreement is under the overall Act of 1954. But, that will be between India and the USA. What has happened right now is between the US legislature and the US Administration, to enable the US Administration to enter into negotiations with us. We cannot place the cart before the horse. Now, the issue which had been raised was that what would happen if the USA, suppose for certain reasons, refuses to supply fuel to us. Would it foreclose the option for us to go to any other NSG countries? Nothing prevents us, in this treaty, to go to others and have it. Nothing compels us. That is why, you will have to have an amendment in the NSG guidelines. The agreement which you will have to enter into with IAEA would be India-specific, because these are a few important points; all our nuclear installations are not under total safeguard's.

[MR. CHAIRMAN in the Chair]

India is a nuclear weapon State and India has tested earlier before we entered into this agreement. These provisions,these situations, cannot be undone. This is very much there. Therefore, I will just like to quote a few lines from the conference paper. It has been stated many a time that why they have not accepted India as a nuclear weapon State. We did not seek for a nuclear weapon State status nor can it be conferred by anybody. It is the ground reality that India has tested twice and India has nuclear weapons. In the second paragraph on page 2 of the conference report, it is stated that section 123 (a) (2) of the Atomic Energy Act requires that a non-nuclear weapon State should have IAEA safeguards on all nuclear meterial in all peaceful nuclear activities in that State, under its jurisdiction, or carried out under its control anywhere, commonly referred to as full-scope safeguards, as a condition of US unclear supply and approval for new nuclear cooperation agreements, a requirement that India does not meet and, as a State with nuclear weapons, would be unlikely to meet for the foreseeable future.

This is not my comment. This is the comment in the conference paper that we are not going to meet this requirement in the foreseeable future. On page 12 of the conference paper, it states that the conferees understand that the US peaceful nuclear cooperation with India will not be intended to

inhibit India's nuclear weapon programme. There is no intention. Neither we nor anybody else has the intention that somebody will declare us as a nuclear weapon State. Five States are nuclear weapon States. They are not going to expand. They are not going to open the door. It is as simple as that. But the ground reality is that they had to recognise that India has nuclear weapons and India is not going to give up that programme which even the conference paper has admitted.

Mr. Chairman, Sir, the question is raised, what would be the sequence of the safeguards. The Government has assured the House that before voluntarily placing our nuclear facilities under IAEA safeguards, we would ensure that all nuclear restrictions on India have been lifted. The legislation provides for finalisation of the text of the India-specific safeguard agreement with IAEA, but not its entry into force. This point is to be appreciated. It is not entry into force. The entry into force will come after the finalisation of the 123 Agreement. Therefore, I can assure Mr. Yechury that it is not going to be done, whatever be the intention. I don't doubt the source of the quotation which you have made. It is, perhaps, impossible and not going to take place, within such a sort period of time, as it is not going to enter into force before the passage of the 123 Agreement by the US Congress. Hon. Members should have noted that it also provides for the NSG guidelines being properly adjusted before the approval of the 123 Agreement. The application of safeguards on reactors, identified as civilian by us, will only take place when international cooperation is resumed. Members should also recall that safegaurds will be implemented in a phased manner up to 2014. Thus the principle of reciprocity has been fully safegaurded. I should add that India would only conclude the safeguards agreement with the IAEA, and not with anybody else, not even with the US.

Now, the question is whether full civil nuclear cooperation is going to be met or not. The promise of full civil nuclear cooperaiton has also been commented upon extensively. It has been argued that the legislation does not address our permanent entitlement to reprocess foreign-origin spent fuel or enrich foreign-origin uranium. Hon. Members who have read the legislation carefully would have noted that there is nothing in the legislation which bars India from reprocessing such spent fuel or enriching imported uranium. I should inform the Members that this particular issue is actually a key element of our negotiations on

the 123 Agreement. We are clear that there can be no recurrence of the Tarapur situation where India is denied the right to reprocess spent fuel. Some Members have expressed concern that the legislation provides for only conditional access to reprocessing, enrichment and heavy water technology. We should note that the US has a universally applicable policy of not transferring such sensitive technologies to any country, irrespective of whether that country is a nuclear weapon State or a non-nuclear weapon State. In that sense, there is no discriminatory provision against India. The legislation, in fact, specifies the condition under which such transfers to India would be possible. While we carefully evaluate the implications, I will also remind Members that our scientists have already established an indigenous infrastructure for reprocessing, enrichment and heavy water production.

Members have expressed some anxiety about the supply assurances worked out on 2nd March, 2006 and whether there would be fully honoured in the light of the legislation. The US administration has categorically conveyed, as I have mentioned to you, that the legislation provides it with the authority to fulfil all those commitments that it has made to India, both in the July 18th statement and in the Separation Plan.

I have already explained to the Members about the issue of conducting nuclear tests.

Now, about the end-use monitoring, some Members have made some comments. I would like to suggest, as Members are aware, that this is not a new practice directed towards India. All the Governments, since 1985, have been implementing the end-use procedures. We have already been scrupulous about honouring our assurances and indeed have established a reputation for responsibility on that basis. At the same time, utmost care has been taken to see that our national security and strategic autonomy is not compromised in any manner. This will remain our guiding principle. Members should also know that India requires end-use procedures for its own high technology exports.

Some confusion has been sought to be created regarding the basis of an India-specific additional protocol. Let me clearly state that reference in the legislation to a particular model of additional protocol do not, in any way, detract from our entitlement to negotiate an India-specific additional

protocol with the IAEA. Members would note that even an NPT nuclear weapon State like the USA has followed the same model for its additional protocol with the IAEA as the one that is referred to in the legislation, with exemptions and exceptions based on national security and other considerations.

Certain questions have been raised in regard to fissile material production moratorium. I would also like to mention it clearly that the legislation does not impose any obligation on India by the way of fissile material production moratorium as a condition of cooperation. Certainly, the views of some Members of Congress have found expression in some provisions of the legislation. As far as India is concerned, our commitment is limited to the 18 July Joint Statement to work with the USA for the conclusioln of a multilateral FMCT. Our position is quite clear. It must be non-discriminatory. It must be universal and it must be verifiable. Therefore, no interim, bilateral, regional or *ad hoc* initiatives in this field are acceptable to us. We are clear that this is a civil nuclear energy cooperation agreement and this is not an arms control measures.

Our scientists have referred to Section 109 of the legislation concerning the possibility of joint research by India and US scientists on non-proliferation and safeguards. There are apprehensions that this could result in inclusive scrutiny of our strategic programme. The legislation does not require, but only authorises, the Administration to explore the possibility of such joint research. Secondly, there is no compulsion on India to accept such proposals. In fact, in the Conference Document itself, as I mentioned Section 109 is not intended to create an obligaiton for India to meet but rather to open an avenue for increased cooperation on topics of concern for both the countries.

Mr. Chairman, Sir, it has also been pointed out by some hon. Members, and they even used phrases like 'mortgage', 'mortgage of independent foreign policy'. The Prime Minsiter categorically stated that the foreign policy of a country is an extension of its national policy. The foreign policy of a country is determined on the basis of the requirement to safeguard and to advance the national interest. Therefore, it cannot be determined by anybody else. Our threat perception in depends on our own perception. As an old hat in the Defence Ministry, when somebody asked me, I told them very categorically that my threat perception depends on my

own perception, not on your perception. Whether India has a threat or not, it is for the Government of the day in office chosen by the people of the country to determine what is the threat perception. Similarly, it is for the Government of the day chosen by the people of the country to determine what is in the best interest of their foreign policy. Yesterday, I mentioned that and I am repeating it, my relationship with one country is independent of my relationship or approach with other countries. With Iran, we have civilizational links, long before these things came and that civilizational link will continue. Somebody was asking, "Why are we giving up the Iran gas pipeline project? We are getting gas to cheap price." Perhaps, the hon. Member does not know that for the agreement which was entered into, the suggestion from the Iranian side is that the prices are to be revised. Instead of going through newspaper articles, if these questions had been raised here, I would have answered them earlier. I myself had a detailed discussion with Iran's Foreign Minister when he came over here. He suggested that the Agreement, which was made at that point of time about the prices of gas was required to be revised. We are engaged in the negotiations. The pipeline project has not been given up. Who said that the pipeline project has been given up? But, surely, a project of this dimension would require assistance from financiers; we have to get money to implement it. We are seriously considering it.

Therefore, Mr. Chairman, Sir, I see no reason why we should have any doubt, why we should have any suspicion. It is true that our Treaties are not ratified by the Parliament. But it is equally true what even more unceremoniously than you would dismiss your domestic servant, the House has the power to dismiss the Government by bringing in a Motion of No Confidence and if it is carried by a majority of the House. That is the strength of the Parliamentary system of Government. For every action, we are accountable to you. In our excitement, in our enthusiasm, we should not foreget that those who are sitting here today would be sitting on the other side tomorrow, as it has exactly happened. The thing which I would like to remind the hon. Members sitting there right now is, please do not change your policy with the change of the seat, which they are doing more often than not. When I was listening to Joshiji, it just reminded me of 1994, and with that, Mr. Chairman, Sir, I would conclude. It was in connection with the passage of the Patents Act. India signed the WTO.

and I was the villain of the piece. As the then Commerce Minister. I had to bring that Amendment. For three days, I could not even make my case presented here. There were such uproarious scences, and they shouted that sovereignty had been mortgaged. I do not know myself as to how many times I have mortgaged India's sovereignty! When, in 1982, as India's Finance Minister, I entered into an extended financial facility with the IMF, my Left friends accused me that I had mortgaged India's sovereignty. Further, I was the only Finance Minister from among the developing countries who did not take the last instalment of the loan and also returned 1.1 billion SDR to the IMF, What I was saying is that a drama was enacted on the floor of the House. As per the terms of the Agreement, we were to amend the Patents Act of 1970. We could not do it, and Shri Murli manohar Joshi, while participating in the debate, told me that I had no guts. He said, "Put up some guts and reject the bill. Tell the WTO that we would not sign this Agreement." All these are in the red books here. After sometime, by democratic rule, from here I went there, and Joshiji came here from there. And, their Government had to pass that Bill with our support. The Left opposed then. The Left opposed during my time, and the Left opposed during their time. But I do believe what is good for the country does not depend on which side of the House I sit. If it is good, it is good whether I sit here or I sit there. Despite the opposition from some of my colleagues, I gave them an assurance that the Congress (I) Party would support the Bill, and with that support, the Patents Bill was passed. The country has been benefited; the Indian pharmaceutical industry is booming. Thank you, Sir.

SHRI SITARAM YECHURY: Sir, I just wish to make one point. I am sure, the hon. External Affairs Minister would yield for a minute. All that we want you to assure the house is that without these assurances---the assurances given by the hon. Prime Minister earlier in the House and the assurances made by you—no 123 Agreement will be entered into. That is the assurance we want. That is all.

SHRI PRANAB MUKHERJEE: Sir, I have stated categorically, and the hon. Prime Minister has categorically stated, that we shall have to seek clarifications, we shall have to get these things reflected in the Agreement under 123. What more assurance do you want? (*interruption*)